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RECORDS  
OF  
MASSACHUSETTS.

VOL. V.

1674—1686.



1875

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Massachusetts Bay Colony

RECORDS  
OF  
THE GOVERNOR AND COMPANY  
OF THE  
MASSACHUSETTS BAY  
IN  
NEW ENGLAND.

PRINTED BY ORDER OF THE LEGISLATURE.

EDITED BY

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MEMBER OF THE MASSACHUSETTS HISTORICAL SOCIETY, FELLOW OF THE AMERICAN  
ACADEMY OF ARTS AND SCIENCES, AND MEMBER OF THE  
AMERICAN ANTIQUARIAN SOCIETY.

VOL. V.

1674—1686.



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1854.



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## REMARKS.

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THE fifth volume of the manuscript records commences with the proceedings of the General Court of Election which convened at Boston on the twenty-seventh of May, 1674, and includes all the records of the Massachusetts Colony, for a period of about thirteen years, from that time to the close of the May session in 1686, when the government of Massachusetts devolved upon Joseph Dudley, Esq., as President. The original manuscript is in an excellent state of preservation, and is mainly in the chirography of Mr. Edward Rawson, Secretary of the Colony. Many parts of the volume are written in such a manner that they are read with very great difficulty by those who are not familiar with the peculiar style of the Secretary.

As is stated in the remarks printed in connection with the third volume, the records appear to have been made up some time after the daily meetings of the sessions of the General Court were held, from minutes on separate papers, and are not arranged strictly chronologically in the order that occurrences took place from day to day during the sessions. The marginal dates supplied by the editor must not therefore, in all cases, be relied upon as exactly correct, but merely as approximations to truth.

The lists of freemen will be found arranged in chronological order at the end of the volume, together with certain other miscellaneous matter recorded in the original at the close of the manuscript. The General Index, prepared chiefly by Mr. Charles E. Stevens, will be found to be very full, and undoubtedly correct. An Index of the freemen has been added, as in the preceding printed volumes.

N. B. S.

DECEMBER, 1854.





## MARKS AND CONTRACTIONS.

A Dash - (or straight line) over a letter indicates the omission of the letter following the one marked.

A Curved Line ~ indicates the omission of one or more letters next to the one marked.

A Superior Letter indicates the omission of contiguous letters, either preceding or following it.

A Caret ^ indicates an omission in the original record.

A Cross x indicates a lost or unintelligible word.

All doubtful words supplied by the editor are included between brackets, [ ].

Some redundancies in the original record are printed in *Italics*.

Some interlineations, that occur in the original record, are put between parallels, || ||.

Several characters have special significations, namely: —

@, — annum, anno.

ā, — an, am, — curiā, curiam.

ā, — māttrate, magistrate.

ĥ, — ber, — numĥ, number; Roĥt, Robert.

ĉ, — ci, ti, — acĉon, action.

ĉō, — tio, — jurisdicĉon, jurisdiction.

ĉ, — cre, cer, — aĉs, acres.

ĉĉ, — ĉĉ, delivered.

ĉ, — Trēr, Treasurer.

ē, — committē, committee.

ĝ, — ĝĝial, general.

ĥ, — ĉhr, charter.

ī, — begīg, beginīg, beginning.

ĥ, — ĥre, letter.

ĥ, — mm, mn, — coĥmittee, committee.

ĥ, — recoĥmidaĉon, recommendation.

ĥ, — mer, — forĥly, formerly.

ĥ, — month.

ñ, — nn, — Peñ, Penn; año, anno.

ñ, — Dñi, Domini.

ñ, — ner, — manñ, manner.

ō, — on, — mentiō, mention.

ō, — mō, month.

ĥ, — par, por, — ĥt, part; ĥtion, portion.

p, — per, — pson, person.

p, — pro, — pporĉon, proportion.

p, — pre, — pſent, present.

q, — qſtion, question.

q, — eſq, esquire.

ř, — Aprř, April.

š, — š, session; šd, said.

š, — ser, — švants, servants.

š, — ter, — neut, neuter.

š, — capš, captain.

ŭ, — uer, — seŭal, seueral.

ŭ, — abou, aboue, above.

ŭ, — ver, — seŭal, several.

ŭ, — ŭn, when.

y<sup>e</sup>, the; y<sup>m</sup>, them; y<sup>n</sup>, then; y<sup>r</sup>, their;  
y<sup>a</sup>, this; y<sup>t</sup>, that.

z, — us, — vilibz, vilibus.

ℓ, — es, et, — statutℓ, statutes.

ℓĉ, &ĉ, &c<sup>a</sup>, — et cætera.

viz<sup>ſ</sup>, — videlicet, namely.

/ — full point.





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# THE COLONY RECORDS.

1674—1686





# MASSACHUSETTS RECORDS.

## THE RECORDS OF THE COLONY OF THE MASSACHUSETTS BAY IN NEW ENGLAND.

[Volume five of the Massachusetts Colony Records, the original of which is, with the exception of a few pages, in the handwriting of Secretary Rawson, commences here. The manuscript includes the proceedings of the General Court for about thirteen years, commencing with the records of the Court of Election which convened on the twenty-seventh of May, 1674, and closing with the termination of the May session in 1686. As in preceding volumes, the names of those who were admitted, during this time, to the freedom of the colony, are placed in chronological order at the end of the printed volume, as are also certain miscellaneous entries, which were written on the last pages of the original.]

*\*Att a Generall Court for Election<sup>s</sup>, held at Boston, in New Eng- 1674.*  
*land, 27<sup>th</sup> May, 1674.*

27 May.

[\*1.]

**J**OHAN LEUERET, Esq<sup>r</sup>, was chosen Gouēno<sup>r</sup> for the yeare ensuing, & tooke his oath.

Samuel Symonds, Esq<sup>r</sup>, was chosen Deputy Gouēno<sup>r</sup>, & tooke his oath.

Symon Bradstreet, Esq<sup>r</sup>, was chosen Assistant & 1<sup>st</sup> Co<sup>m</sup>mission in reserve.

Daniel Gookin,

Daniel Dennison,

Symon Willard,

Richard Russell,

Thomas Danforth,

W<sup>m</sup> Hawthorne,

John Pynchon,

Edw<sup>d</sup> Tyng,

W<sup>m</sup> Staughton, and

Thomas Clarke,

& Major<sup>r</sup> Generall & 2<sup>d</sup> Co<sup>m</sup>missio<sup>r</sup> in reserve.

& Treasurer.

& 1<sup>st</sup> Co<sup>m</sup>mission<sup>r</sup> for the Vnited Colonyes.

Esq<sup>s</sup>, were chosen Assistants, & tooke their  
seuerall oathes.

2 Co<sup>m</sup>mission<sup>r</sup> for the Vnited Colonyes.

Edward Rawson was chosen Secretary for y<sup>e</sup> yeare ensuing, & tooke his  
oath.

1674.

27 May.

The names of the seuerall deputjes sent & returnd from the seuerall townes to serve at this Generall Court are as followeth : —

Salem : Cap<sup>t</sup> Georg Corwin, M<sup>r</sup> Henry Bartholmew.  
 Charls T. : Cap<sup>t</sup> Jn<sup>o</sup> Allen, M<sup>r</sup> Joseph Lynde.  
 Dorchester : Cap<sup>t</sup> Hopstil Foster, Lef<sup>t</sup> Jn<sup>o</sup> Capen.  
 Boston : M<sup>r</sup> Anth<sup>o</sup> Stoddard, Lef<sup>t</sup> Th<sup>o</sup> Clarke.  
 Roxbury : M<sup>r</sup> W<sup>m</sup> Parkes, M<sup>r</sup> Joseph Dudley.  
 Water Toun : Cap<sup>t</sup> Hugh Mason, Lef<sup>t</sup> Rich Beeres.  
 Camb<sup>r</sup> : Cap<sup>t</sup> Th<sup>o</sup> Prentice, M<sup>r</sup> Edw<sup>o</sup> Oakes.  
 Lynn : Ensigne Jn<sup>o</sup> Fuller.  
 Ips<sup>s</sup> : Cap<sup>t</sup> Jn<sup>o</sup> Apleton, M<sup>r</sup> Jn<sup>o</sup> Whiple.  
 Newb<sup>o</sup> : Lef<sup>t</sup> Archelaus Woodman.  
 Waym<sup>o</sup> : M<sup>r</sup> Th<sup>o</sup> Dyer.  
 Hingh : Cap<sup>t</sup> Joshua Hubbard.  
 Conc<sup>o</sup> : M<sup>r</sup> Peter Bulkley.  
 Dedh : Cap<sup>t</sup> Daniel Fisher.  
 Hamp<sup>t</sup> : M<sup>r</sup> Samuel Dalton.  
 Springf. : Cap<sup>t</sup> Elizur Holyoke.  
 Rouley : M<sup>r</sup> Maximilljan Jewett, M<sup>r</sup> Henry Allen.  
 Braintry : Cap<sup>t</sup> Richard Bracket.  
 Douer : Cap<sup>t</sup> Richard Walderne, M<sup>r</sup> Anthony Nutter.  
 Sudbury : Cap<sup>t</sup> Edmond Goodenow.  
 Hauerill : M<sup>r</sup> Henry Palmer.  
 Wooborne : M<sup>r</sup> Humphry Davy, Lef<sup>t</sup> W<sup>m</sup> Johnson.  
 Portsmouth : Cap<sup>t</sup> Richard Cutt.  
 Malden : Cap<sup>t</sup> Jn<sup>o</sup> Wayte.  
 Kettery : Cap<sup>t</sup> Charls Frost.  
 Yorke : M<sup>r</sup> Edw<sup>o</sup> Rishworth.  
 Meadfeild : Lef<sup>t</sup> Henry Addams.  
 Northampton : Lef<sup>t</sup> W<sup>m</sup> Clarke.  
 Hadley : M<sup>r</sup> Peeter Tylton.  
 Scarborow : M<sup>r</sup> Peter Bracket.  
 Westfeild : Lef<sup>t</sup> Jn<sup>o</sup> Hull.  
 Beverly : Cap<sup>t</sup> Th<sup>o</sup> Lauthrop.

Cap<sup>t</sup> Rich Waldern was chosen Speaker for this session.

[\*2.]

County Court  
 to renew exe-  
 cutions in case,  
 &c.

\*Whereas, in the levying of executions, there haue fallen out many diffi-  
 cultjes, whereby the judgments obteyned haue bin made frustrate, ffor the



prevention whereof, the Court doeth order and declare, where any execution shall be levied on any houses, lands, and goods, and deliuered to the partjes for whom the judgment was granted, and the sajd execcution returned according to law, if it shall appeare the person whose lands, goods, or houses were levied by execution, haue affirmed, or deliuered, or tendered, the sajd goods, lands, or houses as his oune, which in reality were not his oune proper estate, and in the same condition of estate as he did tender them either to the officer or partjes for whom the execution is levied, such person so endeavoring by such action to delude the law and defraude the creddito<sup>r</sup> shall be ljable to pay double damages to the party greived, and pay such fine as the County Court shall see cause to impose.

1674.

27 May.

And if any party that hath obteyned an execution shall adventure to levy the same vpon lands, houses, or goods, comonly accounted the houses, lands, or goods of the person against whom the judgment was granted, and the execution be returnd according to lawe, if it afterwards appeare the sajd houses, or lands, or goods were not the houses, lands, or goods of the sajd partjes against whom the judgment was given, the party that was so mistaken making the same to appeare to the Court that granted the judgment, the sajd Court shall order a new execution for the satisfying of the judgment, notw<sup>th</sup>standing the former execution returned.

Whereas it is of great moment in the administration of justice that all matters of reccords should be faithfully entred and kept, and as occasion is given forth, —

Clerks of  
Courts & re-  
corders to be  
sworne.

It is ordered and enacted by the authority of this Court, that from henceforth the seuerall clarkes or reccorders of the publicke Courts of justice and the recorders of the seuerall countjes in this jurisdiction shall be sworne by the Courts to which they belong vnto the faithfull discharge of their office in all respects, and that the forme of the oath be as followeth: Whereas yow, A B, Their oath. are appointed clerke of the County Court of C:, yow doe sweare by the ever-living God, that yow will faithfully & vprightly demeane yo<sup>r</sup>self in the sajd office; you shall truly & fairely enter and reccord all acts and judgements of the sajd Court, and whateuer yow shall receive order and direction from the sajd Court to doe; yow shall safely and faithfully keepe and preserve the sajd reccords, and deliuer executions, decrees, or orders to persons concerned, as in duty yow ought, and true copies of such reccords give forth when regularly called so to doe; and in all things yow shall be faithfull and true to the Court. So help yow God.

\*The law having provided for holding of County Courts where magistrates are wanting, by such persons of worth (stiled associates) as the ffreemen

[\*3.]

1674.

27 May.

Associates of  
County Courts,  
how to be cho-  
sen & when to  
be sworne, &c.

of such countjes should nominate, being allowed and appointed by the Generall Court, and there hauing bin too greate a neglect of certifying the Generall Court the names of the persons so nominated for their confirmation, and appointing such persons the associates for that county, —

This Court doeth heereby remitt former neglects herein, and do declare, that, notwithstanding such omissions, all former acts of County Courts shall be accounted good and valid; and for time to come, do further declare and order, that in all countjes where associates are to be appointed, the freemen shall make their nomination of such associates at the same tjme yearly when they give in their nominations for magistrates, which votes for nomination of associates shall be carryed also by the same comissioners of the seuerall tounes, sealed vp, to their sheere meeting, there to be opened; and those sower persons that shall haue the most votes shall be certified vnder the hands of three of the sajd comissioners, the shire comissioner being one, to the Court of Election yearly for the confirmation and approbation of the sajd associates, which being obtejned, the secretary shall certify the clarke of the County Court thereof, who shall give notice to such associates to appeare at their next County Court, there to take their respective oathes.

Pœnalty of en-  
tertayn or  
lodging in-  
mates by any  
single woman  
in absenc of  
hir husband,  
without leaue,  
&c.

This Court, accounting it their duty by all due meanes to prevent appearance of sinn & wickedness in any kind, doe order, that henceforth it shall not be lawfull for any singlewoman or wife in the absence of hir husband to enterteine or lodge any inmate or sojourner with the dislike of the selectmen of the tounce, or magistrate, or comissioners who may haue cognizance thereof, on pœnalty of five pounds p weeke, on conviction thereof before any Court or magistrate, or be corporally punished, not exceeding ten stripes; and all constables are to take cognizance hercof for information of such cases.

Mr Thatcher  
& Mr Mather  
added to the  
licensers of y<sup>e</sup>  
presse.

Whereas there is now granted that there may be a printing press elsewhere then at Cambridge, for the better regulation of the press, it is ordered and enacted, that the Reuerend Mr Thomas Thatcher & Mr Increase Mather, of Boston, be added vnto the former licensers, and they are hereby impowred to act accordingly.

Courts act on  
County Court  
for Hampshires  
returmes as to  
Goodman &  
Dickinsons pe-  
tiçon, &c.

The County Court for Hampshire hauing made their retorne to this Court, relating to what was refferred to them as to what is conteyned in Richard Goodman & Jn<sup>o</sup> Dickenson's petiçon, presented to y<sup>e</sup> Court May, 1673, & is both on file, the Court judgeth it meete to impower the execcutor of the late Nathaniell Wards will to make of such land so given & exchainged, by signing & sealing a firme deed of sale thereof vnto the persons aboue named, wch sajd deed, so made, shallbe accounted good in law, any law to the contrary notwithstanding.

\*In ans<sup>r</sup> to the motion & request of the deputjes for the county of Norfolke, it is ordered, that W<sup>m</sup> Staughton, Esq<sup>r</sup>, shall be and hereby is appointed to keepe the County Courts in that sheire w<sup>th</sup> the associates there for the yeare ensuing.

1674.

27 May.

[\*4.]

Itt is ordered, that Major Robert Pike, Cap<sup>t</sup> Nathaniel Saltonstall, and M<sup>r</sup> Samuel Dalton, certified to this Court and nominated by the freemen of the county of Norfolke, shall be and hereby are appointed and authorized to be associates for the county of Norfolke for the yeare ensuing, and each of the sajd gent<sup>n</sup> are hereby invested with magistratticall authority in the sajd county for this yeare.

M<sup>r</sup> Staughton  
to keepe y<sup>e</sup>  
Courts in Nor-  
folke.  
Associates for  
Norfolke.

Major Thomas Clarke is appointed to keepe the County Courts at Portsmouth or Douer, as also in Yorkshire, for the yeare ensuing, w<sup>th</sup> the associates there respectively.

Major Clarke  
to keepe Coun-  
ty Courts  
Portsmouth,  
Wells, &c.  
Major Clarke,  
M<sup>r</sup> Dany, M<sup>r</sup>  
Colecott, &c,  
comission. to  
keep County  
Court at Ken-  
nebeck, &c.

In pursuance of an order of the Generall Court in October, 1673, itt is ordered, that Major Thomas Clarke, M<sup>r</sup> Humphrey Davy, M<sup>r</sup> Richard Collicot, & Leff<sup>t</sup> Thomas Gardner are & shall be appointed & fully hereby impowred to repaire to Pemaquid, Cape Nawaggen, Kennebeck, &c, or some one of them to the eastward, and there or in some one of those places to keepe a Court as a County Court, to give oathes to the constables there appointed, as also appoint and impower such meet persons, inhabitants there, to such offices and places (as farr as they be w<sup>th</sup>in the l<sup>j</sup>ne of our patent) according to God and the wholesome lawes of this jurisdiction, that so the wayes of godlines may be encouraged & vice corrected.

It is hereby declared, those appointed to keepe Court at Kennebeck, &c, in their comission shall be impowred to appoint Comissioners Courts for the ending of smale causes, which comissioners shall haue magistratticall power to punish criminall offences, as also in marrying; and the County Court are hereby impowred to settle the militia in those places, and in all cases where there are not freemen, they may make use of other fitt men, provided they haue taken the oath of fidelity, any thing in the law to the contrary notw<sup>th</sup>standing.

Addition to  
M<sup>r</sup> Clarkes  
comission.

Vpon the motion of the deputy of Kittery, this Court doeth order & apoint Cap<sup>t</sup> Richard Walderne to haue magistratticall power in the county of Yorkshire for the yeare ensuing.

Cap<sup>t</sup> Waldern  
comission.  
Cap<sup>t</sup> Walder,  
M<sup>r</sup> Cutts, M<sup>r</sup>  
Stilman comis-  
sion.

In ans<sup>r</sup> to a motion from the deputys of Douer, &c, this Court doth nominate & appoint Cap<sup>t</sup> Richard Walderne, M<sup>r</sup> John Cutts, Cap<sup>t</sup> Richard Cutts, & M<sup>r</sup> Elias Stileman to be & hereby are invested w<sup>th</sup> magistratticall power there for the yeare ensuing.

[\*5.]

Courts ans<sup>r</sup> to  
the ffeoffices of  
y<sup>e</sup> freeschoole  
at Roxbury pe-  
tition.

\*In answer to the petition of the ffeoffices of the ffree schoole of Rox-



1674.

27 May.

bury, settled heretofore by Court order in the toune street, the Generall Court hauing heard & scene the pleas & euidences in the case, doe, vpon mature deliberation, judge that the declared intent of Mr Thomas Bell, both in his life & at his death, in his will, was the settlement of his estate in Roxbury vpon that ffree schoole then in being at his death in the sajd toune.

Edmund Good-  
enow cap<sup>t</sup>.

Lef<sup>t</sup> Edmund Goodenow is hereby appointed capitaine to the ffoote company at Sudbury.

Comitte to  
heare & deter-  
min Mendons  
differene, &c.

The Court, being sencible of the great distractions of the toune of Mendon, judge it most in order to a comfortable composure thereof to order, that Edward Tyng, Esq<sup>r</sup>, Mr W<sup>m</sup> Parks, Cap<sup>t</sup> Daniel Fisher, & Mr Joseph Dudley shall be & hereby are appointed a comitte, and so fully impowred to repaire to Mendon, & to call all partjes before them, and on a full hearinge, examination of their differences, to compose & settle the same; they, or the major part of them, whereof Mr Tyng to be one, who is to apoint y<sup>e</sup> time of meeting, making their returne to this Court.

Sam. Loomis  
ensie of West-  
feild.

Samuell Loomis, of Westfeild, is appointed to be ensigne to the ffoot company there.

Ans<sup>r</sup> to Mr  
Wharton peti-  
con.

Mr Richard Wharton hauing presented a petition to this Court, relating to the late Go<sup>u</sup>no<sup>r</sup> Bellinghams will, the Court appointed a hearing of the case on 29<sup>th</sup> instant, the partjes concerned appearing; the peti<sup>con</sup> & will was read. Mr John Oxenbridge, Mr James Allin, & Mr Anthony Stoddard, & Mr Humphry Daury, the trustees executo<sup>r</sup>s, objected against the legallity of the letter of attorney. The Court, on consideration of what hath bin alleadged pro et con, by their voat declared that the letter of attorney produced was not legally proved, & so no procedure.

W<sup>m</sup> Haisy lef<sup>t</sup>,  
J<sup>n</sup>athan Poole  
cornet, to y<sup>e</sup> 3  
County Troope.

Cornet W<sup>m</sup> Haisy is appointed to be leftennant, & Jonathan Poole to be cornet to the Three County Troope, vnder the conduct of Edward Hutchinson, their capitaine.

Ans<sup>r</sup> to Georg  
& Susana Mar-  
tyns peti<sup>con</sup>.

In ans<sup>r</sup> to the petition of George & Susanna Martyn and Mary Jones, the Court judgeth it meet to grant the peti<sup>con</sup>ers a hearing of the whole case the next session of this Court, the sajd peti<sup>con</sup>ers giving notice to all partjes concerned to attend the issue.

[\*6.]

Ans<sup>r</sup> to Ports-  
mouth select-  
mens peti<sup>con</sup>,  
a hearing  
granted in  
case, &c.

\*In ans<sup>r</sup> to the petition of the selectmen of the toune of Portsmouth, in behalfe of the toune, the Court refferrs the consideration thereof to the next session of this Court, in order to a cleere & right vnderstanding of it; for the atteyning thereof, it is ordered, that the secretary give notice to all partjes concerned, i. e., Dover, Portsmouth, Exiter, Hampton, & Mr Andrew Wiggins, to give their attendance at the Generall Court at their next session, in October, to give the Court such information as whereby they may give a full

& cleere determination therevpon, except they can agree it amongst themselves, and signify the same vnder their hands to the Court.

1674.

Itt is ordered, that the Reuerend M<sup>r</sup> Samuel Torrey & M<sup>r</sup> Joshua Moody be thanked from this Court for the great & very acceptable paines which they tooke in their late election sermons, and that they be desired to print their said sermons w<sup>th</sup> as much speed as may be; that William Staughton & Thomas Clerke, Esq<sup>s</sup>, w<sup>th</sup> Cap<sup>t</sup> Hugh Mason, M<sup>r</sup> W<sup>m</sup> Parkes, & M<sup>r</sup> Bulkeley, are appointed in the name of this Court to give them thankes accordingly.

27 May.  
Courts thanks  
to M<sup>r</sup> Torrey  
& M<sup>r</sup> Moody  
for their elec-  
tion sermons,  
& ord<sup>r</sup> to  
print them.

In ans<sup>r</sup> to the petition of Edward Keeby, the Court judgeth it meet to refferr the answer of this petition to the next County Court of Suffolke, who are hereby impowred to remitt or abate his fine, as they shall see cause.

Ans<sup>r</sup> to Edw.  
Keebys peti-  
con.

In ans<sup>r</sup> to the petition of Katherine Hilton, in behalfe of her brother, Nicholas Shapleigh, as also in ans<sup>r</sup> to one from him, the Court judget it meet to order, that on the said Nicholas Shapleighs payment of two hundred pounds in money to the Tresurer of the country, the rest of the fine shall be respitted during this Courts pleasure, and the said Nicholas Shapleigh discharged the prison.

Ans<sup>r</sup> to Kath-  
erine Hilton &  
Nicho. Shap-  
leighs peti-  
con.

In ans<sup>r</sup> to the humble petition of Cap<sup>t</sup> Edward Hutchinson, humbly desiring the favour of this Court to grant him a parcell of land for a farme, the Court judgeth it meet to grant the petitioner three hundred acres of land in any free place not yet disposed of.

Courts grant to  
Cap<sup>t</sup> Edw.  
Hutchinson,  
300 acres.

\*In ans<sup>r</sup> to the peti-<sup>con</sup> of the inhabitants of Hull, humbly crauing this Court to grant them some releife as to their charges expended on y<sup>e</sup> erecting of a beaçon on Point Allirton, &c, the Court judgeth it meet to & doe hereby grant the said toun of Hull their next single country rate.

[\*7.]

Courts grant  
to Hull y<sup>e</sup>r  
single country  
rate.

In ans<sup>r</sup> to the request of the deputy of Rouley, for the settlement of military affaires, &c, the Court judgeth it meet to refferr the hearing of the case to the next sessions of this Court, when all partjes concerned may then appeare.

Rowly case to  
be heard next  
sessions.

To the hono<sup>rd</sup> Generall Court now sitting in Boston.

Co<sup>m</sup>ittee for  
Marlborou,  
their returne.

The returne of the co<sup>m</sup>ittee appointed for Marlborough humbly sheweth, that, according to our best skill, we haue attended the service of that place, & the promotion of the settlement thereof. In pursuance of the ffatherly care of this Court for their welfare, seuerall journeys we haue made to them, and much tyme we haue spent in hearing and discussing matters of difference and difficultjes amongst them, the result of all which is now mostly conteyned in that new toun booke, which we haue caused to be finished, wherein not only their fundamentall orders & grants are recorded, but also the particu-  
lar

1674.

27 May.

stating & bounding of all those lands that are already layd out to y<sup>e</sup> seuerall inhabitants there. This new towne booke, as it now stands vnder the hand of M<sup>r</sup> John Greene, we haue by our order publickly approoved, enstamping vpon it what authority is w<sup>th</sup> us to convey, humbly representing to this honor'd Court that their acceptance & confirmation thereof will be, in our apprehensions, a competent way, and (as matters are now circumstanced) the likeliest way for the attainment of the peace of that plan, and a foundation of future good to them, which we leave to yo<sup>r</sup> wisdoms, considerations, & determination, and remajne

Your humble servants,

SYMON WILLARD,  
W<sup>m</sup> STAUGHTON,  
HUGH MASON.

Courts accept-  
anc y<sup>er</sup>of & or-  
der therevpon.

The Court thankfully accepts of the labour & paynes of this comitte, and doe, in answer to this returne, allow & confirme the toune booke by them finished, & stated as aboue, w<sup>ch</sup> toune booke shall from henceforth be the authentick reccord of the toune of Marlborough as to the seuerall particulars therein conteyned & concluded, each inhabitant & person concerned being required to take notice thereof, and yield obedience accordingly.

[\*8.]

Courts ans<sup>r</sup> to  
Rich. & Isaac  
Woodys peti-  
cion.

A hearing  
granted in  
case, &c.

\*In ans<sup>r</sup> to the petition of Richard Woody & Isaac Woody, of Boston, the Court judgeth it meet to grant the petitioners a hearing of their case on the second day of the next session of this Court, at two of the clocke in the afternoone, they giving in sufficient caution to sattisfy the charge of the Court for the hearing y<sup>er</sup>of, and giving seasonable notice thereof to all partjes concerned accordingly, to attend their concernes at the tyme.

Ans<sup>r</sup> to Rebec-  
kah Hawkins  
peticion.

In ans<sup>r</sup> to the petition of Rebeckah Hawkins, the Court declares, that the assignment annex to her peticion is good in law to the party expressed assigned vnto.

Courts finall  
ans<sup>r</sup> to Nicho.  
Shapleighs pe-  
ticion.

In ans<sup>r</sup> to the peticion of Nicholas Shapleigh, it is ordered, that vpon the payment of fuetty pounds in money at p<sup>s</sup>ent, and sufficient personall security given to the Tresurer for the payment of one hundred & fuetty pounds more, to be payd fuetty pounds in money at the end of euery six months, vntill it be payd, that the petitioner be dischargd.

Ans<sup>r</sup> to se-  
lectm. peticion  
of Marblehead.  
Non freemen  
in case to act  
as freemen.

In ans<sup>r</sup> to the petition of the select men of Marblehead, it is ordered that such persons as from time to tyme shallbe approoved of by y<sup>e</sup> select men & County Court at Salem shallbe by the sajd Court impowred to act in all affaires as if ffreemen in toune affaires, vntil this Court shall take further order.



In ans<sup>r</sup> to the petition of Jonas Clarke, Señ, of Cambridge, humbly desiring this Courts favo<sup>r</sup> to grant him some land, on the considerations therein exprest, the Court judgeth it meet to grant the petitioner three hundred acres of land in some place that is free from former grants.

1674.

27 May.

Courts grant of  
300 acres to Jo-  
nas Clarke, &c.

This honor'd Court, having in May, 1673, granted a tract of land for a plantation to some of Hadley, reserving two hundred & fiucty acres of land for a farme for the country, we, the subscribers, being the comitte for that plantation, doe offer to this honoured Court the consideration of the smale tract of land there, which is of any worth for improovement, being in all but nine hundred and thirty acres of plowing land, swampe land for meadow, & vpland \*for their home lotts. The whole hauing binn measured, wee finde but so much, the rest being barren pineland as farr as yet wee can learne or vnderstand; so that if two hundred & fiucty acres be taken out of it for the countrys farme, it must vnavoydably spoyle the place for a plantation, & to lay out the farme on the barren pyneland will be to deceive the country. Wherefore we lay the case before this honoured Court, hoping they will see cause to allow the whole land to the plantation, & release the countrys farme, or allow it to be lajd out on the out bounds of the plantation, or in some other place w<sup>ch</sup> may be better for the country.

Comittees re-  
turne abt y<sup>e</sup>  
plantation  
aboue Hadley.  
3 June.

[\*9.]

June 3, 1674.

Subscribed,

JOHN PYNCHON,

WILLJAM CLARKE.

In ans<sup>r</sup> to the motion here presented, it is ordered, that the comitte aboue named lay out fiucty acres of the better sort of the nine hundred & thirty acres, aboue exprest, in a convenient place for the countrys farme, adding two hundred acres more thereto out of the remote lands, as they shall see best for the country, who are also impowred to lease out the same for yeares to the inhabitants, at such rates as they can, so as the country may haue some acknowl-  
edgment annually for the sajd farme.

Countrys  
farme in y<sup>e</sup>  
new plantation  
aboue Hadley,  
&c.

In ans<sup>r</sup> to the petition of Thomas Patten, attorney to Jn<sup>o</sup> Patten, of seuerells in England, & heir to Nathaniel Patten, of New England, deceased, the Court judgeth it meet to grant the petitioner a hearing of his case at the next session.

Ans<sup>r</sup> to Tho.  
Pattons peti-  
co., a hearing  
y<sup>e</sup> case gr<sup>ed</sup>.

In ans<sup>r</sup> to the petition of Henry Lauton, the Court declares the petiçõner hauing had sundry acçõns refferring to this case, wherein he hath been sometimes p<sup>lt</sup> & sometimes deffend<sup>t</sup> in seuerall Courts, & justice don him according to law and euidence prescribed, that it is in his oune liberty to implead any person or persons that haue perverted justice by false testimony in any Court of justice, as the law hath fully provided.

Courts ans<sup>r</sup> to  
Henry Law-  
tons pet.

1674.

3 June.  
Left Smiths  
comission to  
take oaths.

[\*10.]

Courts deter-  
mination of y<sup>e</sup>  
differene be-  
twene Cap<sup>t</sup>  
Gookin, &c,  
& Ephraim  
Curtis.

There being great necessity of taking some testimonjes in Hingham vpon account of action depending in Plymouth Court, and Cap<sup>t</sup> Hubbard, impowred in that case, cannot be spared from the Court, it is ordered that Left John Smith shall & is hereby impowred to adminster oath to such wittnesses as are necessary for prevention of damage therein.

\*In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Daniel Gookin, Cap<sup>t</sup> Prentice, Lieu<sup>t</sup> Richard Beeres, & M<sup>r</sup> Henchman, presented to this Court, and, as a full issue of the case betweene the petitioners & Ephraim Curtis, after the Court had heard what each party could say, together w<sup>th</sup> the evidences by them produced, the Court judg'd it meete to order, that the sajd Ephraim Curtis shall haue fifty acres of the land that is already layd out to him where he hath built, to be lajd out & ordered by y<sup>e</sup> comitte for sajd plantation, as other lotts there are, so it be in one place, w<sup>th</sup> all manner of accomodation apperteyning thereto, as other inhabitants haue, and that he shall haue liberty to take vp the two hundred & ffty acres of land w<sup>th</sup>out the bounds of the sajd toun, provided it be neere adjoyning therevnto, and to be in leiw of the land formerly granted to M<sup>r</sup> John Norton.

Ans<sup>r</sup> to Hope  
Allens peti<sup>ti</sup>on.

In ans<sup>r</sup> to the petition of Hope Allin, the Court judgeth the seizure of the leather mentioned in the petition to be legall, & see no cause to release the same.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Walley & Ja-  
cob Jessons  
petition.

In ans<sup>r</sup> to the petition of John Walley & Jacob Jesson, attorneys to Francis Bill; the Court sees no cause to take of the seizure of the leather in their petition mentioned.

Ans<sup>r</sup> to M<sup>r</sup> Jn<sup>o</sup>  
Elliotts peti-  
tion relating to  
Natick In-  
dians, &c.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Jn<sup>o</sup> Elliot, in behalf of the Indians at Naticke, &c, so far as it concernes the Indians hauing plantations granted them, the Court declares that when the Indians themselues shall make application to this Court, vnder their hands, for plantations, the Court will then consider thereof, to giue such answer for incouragement of the Indians as they shall then judge meet & suiteable.

Arthur Masons  
horse to be p<sup>d</sup>  
for, 5<sup>li</sup>.

In ans<sup>r</sup> to the request of Arthur Mason, humbly craving some recompence for his horse he lost going on the countrys service, by land or otherwise, it is ordered, that the sajd horse be paid for out of the tresury of the country, provided the price exceed not fve pounds.

Edw. Cowells  
horse to be p<sup>d</sup>  
for, 50<sup>s</sup>.

In ans<sup>r</sup> to the motion of Edward Cowel, humbly crauing some satisfaction for his horse, spoyled in y<sup>e</sup> countrys service, &c, it is ordered, that the Tresurer pay vnto the peti<sup>ti</sup>oner ffuety shillings, in recompenc for his horse.

Comittees re-  
turne as to  
Foxwell &  
Cumins case,  
&c.

Wee, whose names are here subscribed, in ans<sup>r</sup> to an act of the late Gen<sup>l</sup> Court, October 15<sup>th</sup>, 1673, by whom wee were appointed to heare, examine,

& make report what, vpon heareing, wee could finde in a case depending betweene Richard Foxwell, Richard Cumins, & others, in obedience wherevnto, attending the order of the Court, & going vpon the place & sumōning all persons before us concerned in the premisses, & hauing had a full hearing & examination thereof doe give in our report as followeth:—

1674.

3 June.

1. Wee finde a patent apperteyning vnto Richard Foxwell & Richard Cumins.

2. From thence wee finde they doe challenge a patent right fower miles by the seaside, & eight miles back into the country, whereof they make clajme of one quarter part by a deed of gift or sale made vnto them by Cap<sup>t</sup> \*Richard Bonyghton, whose daughters they marrjed, in consideration of their portions of one hundred markes a peece, which by him, the father, was received of theirs when they were in England.

[\*11.]

3. That Cap<sup>t</sup> Richard Bonighton did setle vpon the north side of Sacca-dehocke, Saco River, & Thomas Lewis, who had possession given them by M<sup>r</sup> Edward Hilton, who, by order, was comissionated there vnto.

4. Wee doe not finde any orderly bounding or laying out of the sajd patent.

5. Wee finde that Cap<sup>t</sup> Bonighton, one of the proprietors of this patent, made certein grants on the south side of Black Point Riuer, vpon that necke of land whereon M<sup>r</sup> Foxwell liueth, called by the name of Blew Point, & that the sajd Foxell had a verball grant ffrom M<sup>r</sup> Thomas Gorges of fve hundred acres of land lying vpon the north side of that neck, which is generally ouned by the people, whither it fall w<sup>th</sup>in or w<sup>th</sup>out the patent.

6. That Cap<sup>t</sup> Richard Bonighton hath granted seuerall lotts vnto diuerse persons w<sup>ch</sup> hath & doth belong vnto Blew Point, as ouned by Richard Foxell.

7. Wee find that the selectmen of Scarborough haue granted seuerall lotts on the sajd neck of land, & so bounded them that seemes to take away much of M<sup>r</sup> Foxwells lands & meadows.

8. That the Generall Court, by some acts, haue confirmed patent rights, possession rights, toun rights, & Indian rights, & acts of former Generall Courts. These things premised seemes, according to our best apprehensions, to be the ground of those differences arising amongst those partjes in the cases concerned, for the issuing whereof wee doubt not but this honoured Court, in their wisdoms, will, vpon mature consideration, find some meet expedient to remedy; being the requests of

Your humble servants,

RICHARD WALDERNE,  
JN<sup>o</sup> WINCOLL,  
EDW: RISHWORTH.



1674.

3 June.  
Courts confir-  
mation of the  
committees re-  
turne & further  
order.

The Court allowes & approoves of this returne, and declares, that the eldest grants of land in the county of Yorkshire, whither by patent or grants from the Generall Courts, shall take place before any others, according to the concessions made to them by the Generall Court in their reception into this gouernment; and it is further ordered, that the former comitteee be impowred to setle & bound the lands of Richard Foxwell & Richard Cumins, and to heare, issue, & determine, by three or more of them, any differences that shall or may arise betweene them & all partjes therein concerned, vpon Blew Point, on the westernmost side of Black Point Riuer, in the toune of Scarborough.

Suffield.

The honoured Generall Court, in October, 1670, having granted a tract of land, to the content of sixe miles square, on the west side of the Riuer Conecticot, betweene Springfield & Windsor, to seuerall persons for a plantation, and hauing likewise appointed a comitteee to mannage the affaires thereof, the sajd comitteee, heereto subscribing, did lay out the bounds of the sajd plantation on the 21<sup>th</sup> of March, 1671, & would haue made returne thereof to the honoured Generall Court then next ffollowing, had not they delayed in refference to the settling the ljne betweene this colony & Connecticutt colony, which possibly might haue occasioned some alteration; but that colony not manifesting their acceptance of the concession of \*this Court, the sajd comitteee haue thought it meet, seuerall familjes being there already setled, not to delay any longer, but now to make returne to this honoured Court of their worke in laying out the bounds of the sajd plantation, which are as followeth:—

[\*12.]

Southfeild al-  
ljas Suffield  
bounds lajd  
out & con-  
firmd.

The north bounds of this new plantation, joyning to Springfield south bounds, on the west side of Conecticut Riuer, is at a litle gutter about halfe a mile below the brooke comonly called the Three Mile Brooke, below Leiu<sup>t</sup> Coopers house, viz<sup>t</sup>, at two tall midling trees, standing about two foote from each other, the one a walnut, the other an oake, which stands on the knap or brow of the hill on the north side of that gutter, by the Great River side, w<sup>th</sup>in three or fower rod where the gutter emptjes itselfe into the Great River. The sajd trees, being marked, are the north bounds of this new plantation, and thence the bounds run vpon the due west ljne about fower miles & a halfe from the Riuer Conecticut, till it meet w<sup>th</sup> Westfeild bounds; and from the sajd two trees, the east bound is the sajd Riuer Conecticut, & is sixe miles southward, vpon the square, from the sajd west ljne. The south border of this new plantation is a due west ljne, draune from a large white oake, marked, standing on the banck of the Riuer Conecticut, two or three rods from the sajd Riuer, and about halfe a mile below the island, neere the foote of the falls in the Great Ryuer; and from the sajd white oake the south

border extends seven mile and a halfe due west, many trees being marked in that range or līne. The said cōmittee also haue setled one hundred acres of land for the Generall Court and countrys vse, as the Court injoynd, lying on the southside of Stony Brooke, neere where Northampton & Springfeild wayes to Windsor meet, there being a tract of good land, and not farr from the place called the Meeting House Hill; and the other fower hundred acres of land for the country is to lye at the southwest corner of this plantation, there being good land in that quarter for that purpose.

1674.

3 June.

Country's  
farme of 500  
acres.

The said cōmittee doth also humbly propose that this honoured Court would please to grant this plantation seven yeares freedome from country rates, as an incouragement for the planters, it being a very woody place, & difficult to winne; also, that the name of the place may be Suffeild, (an abreviation of Southfeild,) it being the southermost tounne that either at present is or like to be in that country, & neere adjoyning to the south border of our patent in those parts.

May 20<sup>th</sup>, 1674.JOHN PYNCHON,  
ELIZUR HOLYOKE,

In the name of the cōmittee.

The Court approoves & confirms this returne of the cōmittee, that of rates only excepted, & instead thereof doe grant to y<sup>e</sup> sd plantation fower yeeres exemption from country rates.

4 yeeres ex-  
emption from  
rates.

\*The cōmittee appointed by the last Geñll Court, bringing in & making in their returne to this Court of what they found as relating to M<sup>r</sup> Joseph Dudson, M<sup>r</sup> Richard Wharton, M<sup>r</sup> Nicholas Paige, & M<sup>r</sup> John Faireweathers declaration, &c, w<sup>ch</sup> is on file, w<sup>ch</sup> y<sup>e</sup> Court approved of, and ordered the said partjes to be called before this Court to give an account of their actings, on 2<sup>d</sup> June next, & appointed Cap<sup>t</sup> Daniell Fisher & M<sup>r</sup> Isaack Addington to implead them. The said attorneys drew up their charge ag<sup>t</sup> them in fower articles, w<sup>ch</sup> was read before the whole Court, the partjes being present, &c. The Court, hauing heard & considered what hath bin alleadged & prooved against M<sup>r</sup> Richard Wharton, M<sup>r</sup> Nicholas Paige, M<sup>r</sup> Joseph Dudson, & M<sup>r</sup> John Faireweather, doe judge & order, that the said M<sup>r</sup> Richard Wharton shall be solemnly admonisht, and be disabled for pleading any cause but his oune, except that of M<sup>r</sup> Samuell Bellingham, if legally impowred therevnto, and that he also pay the sūme of thirty pounds in money towards the great expences occasioned thereby to this Court, and that the said Nicholas Paige, Joseph Dudson, & John Faireweather be alike solemnly admonisht, & each of them pay the sūme of fīue pounds in money towards the Courts charges & expenses as aboue.

[\*13.]

Courts act or  
sentence of M<sup>r</sup>  
Wharton, Dud-  
son, Paig, &  
Fairw<sup>th</sup>r.N. P., J. D.,  
J. F., 3. They  
all submitted  
to y<sup>e</sup> sentence  
except M<sup>r</sup>  
Wharton, J. A.

1674. *\*At the second Sessions of the Generall Court, held at Boston, by  
Adjournm<sup>t</sup>, 7 (8) 74.*

7 October.

[\*14.]

P <sup>r</sup> SENT, Jn <sup>o</sup> Leueret, Esq <sup>r</sup> , Gou <sup>r</sup> n <sup>r</sup> ,	
Sa <sup>m</sup> Symonds, Esq <sup>r</sup> , Dep <sup>t</sup> Gou.	
Symon Bradstreet,	
Daniel Gookin,	
Daniel Dennison,	
Symon Willard,	
Rich Russell,	
Thomas Danforth,	} Esq <sup>r</sup> s.
W <sup>m</sup> Hathorne,	
Jn <sup>o</sup> Pynchon,	
Edward Tyng,	
W <sup>m</sup> Staughton,	
Thomas Clarke,	

The deputjes p<sup>r</sup>sent at this session were, —

Cap<sup>t</sup> Georg Corwin,  
 M<sup>r</sup> Henry Bartholmew,  
 Cap<sup>t</sup> Jn<sup>o</sup> Allyn,  
 M<sup>r</sup> Joseph Lynde,  
 M<sup>r</sup> Anthony Stoddard,  
 Lef<sup>t</sup> Th<sup>o</sup> Clarke,  
 Cap<sup>t</sup> Hopestill Foster,  
 Lef<sup>t</sup> Jn<sup>o</sup> Capen,  
 M<sup>r</sup> W<sup>m</sup> Parkes,  
 M<sup>r</sup> Joseph Dudley,  
 Cap<sup>t</sup> Hugh Mason,  
 Lef<sup>t</sup> Rich Beers,  
 M<sup>r</sup> Edward Oakes,  
 Cap<sup>t</sup> Th<sup>o</sup> Prentice,  
 Cap<sup>t</sup> Jn<sup>o</sup> Apleton,  
 Lef<sup>t</sup> Archelau<sup>s</sup> Woodman,  
 Th<sup>o</sup> Dyer,  
 Cap<sup>t</sup> Josh Hubbard,  
 M<sup>r</sup> Peter Bulkley,  
 Cap<sup>t</sup> Daniel Fisher,



Mr Maximil<sup>t</sup> Juet,  
 Cap<sup>t</sup> Rich Bracket,  
 Cap<sup>t</sup> Rich Walderne,  
 Cap<sup>t</sup> Edmund Goodenow,  
 Mr Henry Palmer,  
 Mr Humphry Davy,  
 Cap<sup>t</sup> Rich Cutts,  
 Cap<sup>t</sup> Jn<sup>o</sup> Wayte,  
 Lef<sup>t</sup> Henry Addams,  
 Lef<sup>t</sup> W<sup>m</sup> Clarke,  
 Mr Peter Tilton,  
 Mr Peter Bracket.

1674.

7 October.

Cap<sup>t</sup> Rich Waldern chosen speaker for y<sup>e</sup> session.

**I**TT is ordered, that the whole Court on the morrow morning goe to the Castle to vejw it, as it is now finisht, & see how the countrys money is layd out therevpon, & that on the countrys chardge: w<sup>ch</sup> was donn.

It is ordered, that Major W<sup>m</sup> Hathorne & Major Thomas Clarke, w<sup>th</sup> Mr Humphry Davy, Cap<sup>t</sup> Joshua Hubbard, & Mr Henry Bartholmew, be a co<sup>m</sup>itte<sup>e</sup> to examine the Tresurers accounts, and to make returne thereof to this Court this present session.

For the resolution of a question propounded to the Court, relating to Cambridge village, it is ordered, that the sajd village shall henceforth be a distinct military company of themselues, and so to be excercised according to law.

And it is further ordered, in relation to Medford, that the souldjers there be excercised by a serjant, such as the major of the regiment shall appoint; and for all those that lue out of any toune bounds, it is left to the major<sup>s</sup> of the seuerall regiments to regulate in all such cases at their military Courts.

It is ordered by this Court, that there be a present addition of men to the garrison at the Castle, and to that end, that a supply be made; as to the number, to be not aboue fiv<sup>e</sup>; for effecting whereof it is left to the wisdom<sup>e</sup> & discretion of the co<sup>m</sup>itte<sup>e</sup> for the Castl, who are hereby empowred in all respects to act herein so as may be for the safety of the place, & w<sup>th</sup> as litle expenc to the country as may be, and that such persons so added shall be payd for their service, according to agreement made, out of the treasury of the country.

Whereas the setling of the power of the co<sup>m</sup>issioners of Boston is con-

1674.

7 October.

fined barely to the toune & neck, w<sup>th</sup> Nodles Island, it is, vpon seuerall considerations, judged meēt, and it is hereby ordered, that their power be extended to the whole limitts of Boston in civil & criminall cases, according as the lawe prouides for their acting formerly in the bounded ljmitts aboue sajd, notw<sup>th</sup>standing the sajd lawe.

It is ordered, that there be one single rate this yeare to answer the occasions of the country, and that the prices for corne be payd in at these prices following, viz.: wheate at fūe shillings, barley & barley ma<sup>t</sup>, rye and pease, at fower shillings, Indian corne at three shillings p bushell; all good & merchantable corne, and what euer else is payd in the country rate, to be paid at money price, prouided that no leane catle or horses shall be payd in the sajd rate. And it is further ordered, that if any person shall pay their country rate in in money, they shall be abated one fowerth part of their sajd rates.

[\*15.]

Order for di-  
vision of compa-  
nies in Boston  
or other townes  
y<sup>e</sup> exceed 200.

\*Whereas this Court, in the yeare 1652, for the better settling of the militia in the seuerall townes, did order & enact, that where, in any toune w<sup>th</sup>in this jurisdiction, the number of souldjers who by lawe are to attend constant traynings shall arise to be two hundred men, that then such souldjers shall be divided into two companyes; if to three hundred, then to be divided into three companyes, &c, — now, forasmuch as it appeares by good information, that most of the companyes in Boston doe exceed the aforesajd number of two hundred, this Court doeth hcereby declare, that the former order of deviding ought to be forthwith attended, and that the major of the regiment, together w<sup>th</sup> the comission officers of each company, take speedy order to see it performed, and to make retorne thereof to the next Court of Election. And it is further ordered, that in any toune where like numbers of souldjers are, there be like due attendance to this order.

Souldjers of  
Rowley village,  
where to trayne.

It is ordered, that the trayned souldjers of the place called Rowley Village shall forthwith list themselues, & performed duty in ordjnary traynings, either at Rouley or Topsfeild, as shall suite best w<sup>th</sup> their incljnations & occasions, which being don shall so continue vntill such time as the sajd village is settled with a minister, and haue a sufficjent number to trayne among themselues & officers according to lawe appointed to excercise them.

Courts appro-  
bation of  
comission's  
settling y<sup>e</sup> east-  
ern p<sup>tes</sup>.  
Named Devon-  
shire. County  
Court, when to  
be kept y<sup>e</sup>, 3<sup>d</sup>  
3<sup>d</sup> day July.

This Court taking into consideration what hath binn acted by Major Thomas Clarke, Humphry Davy, Richard Collecot, & Lef<sup>t</sup> Thomas Gardiner, in settling the easterne parts at Kennebeck and the places adjacent w<sup>th</sup>in our lyne vnder goūment, according to the comission of this Court given them, dated 27<sup>th</sup> May, 1674, and that, vpon desire of the inhabitants, they haue called those places the county of Devonshire, this Court doeth approve and confirme the same; and doe further order & appoint, that the County Court in

some place thereof shall be holden & kept vpon the third Tuesday in July 1674.  
yearely.

Vppon the request of Thomas Holbrooke, Captaine W<sup>m</sup> Torrey is permitted & impowred to marry the said Holbrooks daughter vnto Vryah Clarke, according to law.

7 October.

Cap<sup>t</sup> Torreys  
comission to  
marry, &c.

In ans<sup>r</sup> to the motion of Cap<sup>t</sup> Edward Hutchinson, that he might lay doune his captains place of the Three County Troope, the Court grants his request, and doe order & appoint M<sup>r</sup> Humphry Davy to be cap<sup>t</sup> of the Three County Troope, & that he haue comission accordingly.

Cap<sup>t</sup> Hutchinson  
laid doune  
his cap<sup>t</sup>.

M<sup>r</sup> Humphry  
Davy cap<sup>t</sup> of  
y<sup>e</sup> 3 County  
Troope.

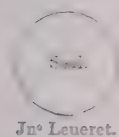
\*M<sup>r</sup> Humphry Davy hauing declared his non acceptance of the office of cap<sup>t</sup> of the Three County Troope, the Court judgeth it meete to respitt any supply for that place till the Court of Election. [\*16.]

Att a Court held at Pemaquid, 22<sup>th</sup> July, 1674, by Major Thomas Clarke, Humphry Davy, Richard Collecot, Thomas Gardiner, according to commission and order of the Generall Court of the Massachusetts colony, dated in Boston in New England, 27<sup>th</sup> day of May, 1674.

Eastern comis-  
sion's returne.

Boston, in New England.

Copy of comis-  
sion.



Jno Leueret.

Att a Generall Court, held at Boston, 27<sup>th</sup> day of May, 1674. In pursuance of an order at the Generall Court in October, 1673, it is ordered, that Major Thomas Clarke, M<sup>r</sup> Humphry Davy, M<sup>r</sup> Richard Collecot, and Leif<sup>t</sup> Thomas Gardiner, or any three of them, whereof Major Thomas Clarke to be one, are fully hereby impowred to repaire to Pemaquid, Capenawaghen, Kennebeck, &c, or some one of them to the eastward, or there or some one of those places, to keepe a Court as a County Court, to give oathes to the constables there appointed, as also to appoint and impower meet persons, inhabitants there, to such offices & places as farr as they be w<sup>th</sup>in the l<sup>ne</sup> of our patent, according to God and the wholesome lawes of this jurisdiction, that so the way of godlynes may be encouradged & vice corrected. And it is hereby further declared, that the gentlemen aboue mentioned shall be and hereby are impowred to appoint Comission<sup>r</sup>s Courts for the ending of smale causes, which comissioners shall haue magistratticall power in marrying such as are duely and legally published according to law, as also to punish criminall offences; and the County Court is hereby impowred to settle the militia in those places, and in all places where there are not freemen, they may make vse of any fitt men, provided they haue taken the oath of fidelity, any thing in the law to the contrary notw<sup>th</sup>standing.

By the Court.

EDWARD RAWSON, Secre<sup>ty</sup>.



1674.

7 October.  
Comission  
publisht.  
Comission's  
sworne.  
Left Gardiner  
Tresur.

The inhabitants of the seuerall places in this county haue bin warned, and a considerable company appearing, the Court caused the comission & order of the Generall Court aboue sajd to be publickly read.

Humphry Davy, Richard Collecot, & Leift Thomas Gardiner tooke their oathes according to law.

Left Thomas Gardiner was appointed Treasurer as county Treasurer from Kenebeck, eastward, w<sup>th</sup>in the l<sup>j</sup>ne, which, many of the inhabitants desiring, may be called the county of Devon. The Court consents thereto, till the Generall Court confirme the same, or take further order.

[\*17.]

Rich. Oliuer  
recordr of  
Devon.

Constables  
sworne at Ken-  
eck, Pema-  
quid, &c.

Persons y<sup>t</sup>  
tooke y<sup>e</sup> oath  
of fidelity.

\*Richard Oliuer, of Monhegin, nominated & appointed to be recorder & clarke of the Courts of this county, who tooke y<sup>e</sup> oath accordingly.

Thomas Humphrys, cunstable of Saggodehock & Kennebek, Rob<sup>t</sup> Gamon, of Capenawaghen, Willjam Waters, of Damerills Coue, John Dolling, of Monhegin, Thomas Cox, of Pemaquid, tooke their oathes as constables. Grand jury men returnd were, Rob<sup>t</sup> Edmunds, Ambrose Hanwell, of Saggodehock, Jn<sup>o</sup> Wriford, Eljas Trick, John Pride, of Damerills Coue, George Bickford, Reynald Kelly, of Monhegin, Jn<sup>o</sup> Cole, of Pemaquid, tooke their seuerall oathes according to lawe for their places, and both grand jurymen & constables took their oaths of fidellity; so did John Pride take his oath at Salem, as also these persons following, present inhabitants: Cap<sup>t</sup> Edmūd Pateshall, M<sup>r</sup> Ichabod Wisewall, M<sup>r</sup> Richard Oliuer, W<sup>m</sup> Buckford, Edward Barton, Rich<sup>d</sup> Hill, Henry Curtis, Francis Broune, Rich<sup>d</sup> Warren, Henry Stoakes, W<sup>m</sup> Denbo, Edw<sup>d</sup> Dorr, Jn<sup>o</sup> Dare, Geo<sup>r</sup> Burnet, Nich<sup>o</sup> Osbourne, Th<sup>o</sup> Parker, David Oliuer, Emanuell Whichalls, Jn<sup>o</sup> Cock, Th<sup>o</sup> Phillips, Th<sup>o</sup> Hilman, Nicc<sup>o</sup> Carary, Jn<sup>o</sup> Parker, Nicc<sup>o</sup> Deming, Abell Hoggeridge, Edward Cole, Jn<sup>o</sup> Wildgoose, Th<sup>o</sup> Parnell, Aaron Beard, Gregory Langberry, Abrā Clarke, Th<sup>o</sup> Cox, Juñ, Henry Curtis, Juñ, Shadrick Cox, Richard Cox, Richard Pearce, Juñ, Robert Cauly, Th<sup>o</sup> Adger, Richard Bradeway, Richard Bucknell, W<sup>m</sup> Edwards, Th<sup>o</sup> Cox, W<sup>m</sup> Waters, W<sup>m</sup> Welcome, Jn<sup>o</sup> Bessell, Peter Collins, Richard Glass, Th<sup>o</sup> Phillips, Henry Palmer, Jn<sup>o</sup> Palmer, Jun<sup>r</sup>, Phillip Bey, W<sup>m</sup> Phillips, Jn<sup>o</sup> Stover, Jn<sup>o</sup> Palmer, Scñ, Rob<sup>t</sup> Edmūds, James Widger, Th<sup>o</sup> Harls, Jn<sup>o</sup> Gingden, Nic<sup>o</sup> Vallack, Jn<sup>o</sup> Selman, W<sup>m</sup> Trout, Nic<sup>o</sup> Heale, Georg Bucknell, W<sup>m</sup> Cox, Th<sup>o</sup> Cox.

Constables or-  
dered to pub-  
lish the lawes.

Administra-  
tion to Jn<sup>o</sup>  
Waller estat  
gr'd to Geo  
Burnet.

The constables of each place in this county were ordered to call the inhabitants together, and to read, or cause to be read, the lawes of this jurisdiction vnto them in convenient t<sup>j</sup>mes.

Administration to the estate of Jn<sup>o</sup> Waller, a fisherman, sometimes resident at Monhegin & sometimes at Damerills Coue, who djed about fower yeares since, is granted to George Burnet, resident at Monhegin, who is to

dispose of the same according to the clerest testimony of and to whom the estate doeth belong, & to bring in an inventory of the same to the next Comission Court heere, & himself, as principall, & Richard Oliuer as surety, doe bind themselves in fifty pounds a peece that this order shall be attended & performed.

1674.

7 October.

These persons following are nominated & approoved as serjants & corporalls to exerceise military discipljne to the inhabitants in the seuerall places, according to law:—

Thō Humphryes sarjant, & James Midleton corporall, for Saggedehock.

Military officers in y<sup>e</sup> county of Devon.

For Damerill Coue & Hippocras, Jn<sup>o</sup> Bessell serjant, & he to choose his corporall.

For Monhegin, Jn<sup>o</sup> Dolling serjant, & he to choose his corporall there.

For Capenawaghen, Robt Gamon serjant, & he to choose his corporall there.

Left Thō Gardiner is appointed & impowred to haue the comānd & regulation of all the military forces, & of the affaires thereof, in the seuerall places of this county, & particularly of Pemaquid.

Left Gardiner cheife military command<sup>r</sup> in Devon.

\*Left Thomas Gardiner, of Pemaquid, Cap<sup>t</sup> Edmund Patteshall, of Kenebeck, John Palmer, Señ, of Monhegin, & Robert Gamon, of Capenawaggen, are appointed & impowred by this Court as comissioners for the yeare ensuing, and they, or the majo<sup>r</sup> part of them, to hold & keepe Comissioners Courts in such places, and as often as they shall see cause, w<sup>th</sup>in this county of Devon, for the ending of smale causes according to lawe; who also haue magistraticall power in marrying such as are duely & legally published according to law, as also to punish criminall offences according to the particullar order of the Generall Court. Dated 27<sup>th</sup> May, 1674, in Boston.

[\*18.]

Left Gardiner, &c, appointed comission<sup>rs</sup> to keepe Court in Devon.

These persons following are chosen to be clarks of the writts in the seüll places, viz<sup>t</sup>:—

Clarks of y<sup>e</sup> writts.

In Saggedehock & Kennebeck, Thō Humphreys.

In Monhegin, Richard Oliuer.

In Damerills Coue, Willjam Walters.

In Capenawaggen, Robert Gamon.

Thomas Humphreys is nominated & appointed marshall for this county of Devon, who is to take charge for securing such persons to be comitted to prison according to law, and to receive the fees allowed the prison keeper by law or custome.

Tho. Humphrys marshall.

These persons following are appointed & haue liberty to keepe houses of publicke enterteynement, and are to be provided w<sup>th</sup> necessariys for lodging, &c, accordingly, and to retajle beare, wine, & licquors in the seuerall places for the yeare ensuing, according to law:—

Inkeepers allowed.

1674.

7 October.

For Monhegin, Jn<sup>o</sup> Dolling; for Saggedehock & Kennebeck, Willjam Cock.

For Damerills Coue, John Wryford.

For Capenawaggen, Edw Barton.

For Pemaquid, Jn<sup>o</sup> Cole.

Also Left Gardiner to his fishermen, &c, John Earthy, for Corbyn Sound, Georg Bucknill.

Itt is ordered, that warrants be issued out for the levying of twenty pounds vpon the inhabitants of this county for Court charges, law books, constables stauces, &c, viz<sup>t</sup>: vpon Saggedehock & Kennebeck fower pounds; vpon Monhegan five pounds ten shillings; vpon Capenawaggen three pounds ten shillings; vpon Damerills Coue & Hyppocras five pounds; & on Pemaquid forty shillings; and that the comissioners, where any is, w<sup>th</sup> the grand jury men & constable in each place, shall equally levy the same on the persons & estates of the seuerall inhabitants, to be collected by the constables, & deliuered to Left Thō Gardiner, Treasurer of the county.

HUMPHRY DAVY, p order.

The Courts approbation of y<sup>s</sup> acts of the comissio<sup>n</sup> is recorded on p. 15.

Order to sum-  
on the Dr &  
students.

This Court, by good information, vnderstanding that, notwithstanding all former endeavo<sup>r</sup>s, the colledge yet remajnes in a languishing & decaying condition, doe therefore order, that, on Wednesday next, at one of the clock, all persons concerned be required to appeare, & accordingly the secretary to issue out his warrant to require the præident, & former & present fellowes, graduate & student, that were then in the colledg, whither resident or non resident, to make appearance before the Court, and in like manner that the ouerseers be desired to attend the Court to give information in that case, that so a full hearing being obteyned, and the grounds of the present decay discerned, this Court may, if possible, take further effectuell course for y<sup>e</sup> revivall of that great worke, and its future flourishing & establishment amongst us.

[\*19.]

Præsidents  
dismission in  
case.

\*After the Court had a full hearing of both the docto<sup>r</sup>, y<sup>e</sup> præident, fel lowes, & seuerall students, for the settlement of the colledge, the president, vpon his oune voluntary motion, in consideration of the paucity of schollars, doth freely lay doune fifty pounds of his sallery, & rests satisfied in one hundred pounds money p annū. Vpon the same consideration of fewness of schollars, this Court doeth judge meet to dismisse all the officers of sallery, vntill Court and overseers take further order; that the præident continue his place vntill next Election Court; in the meane time, the reuerend ouerseers are intreated to vse vtmost endeavo<sup>r</sup>s for remooveall of all obstructions



therein against the said Courts session, when, if the colledge be found in the same languishing condition, the president is concluded to be dismissed without further hearing of the case.

1674.

7 October.

To the honorable Generall Court, now assembled at Boston.

Wee, whose names are hereunto subscribed, being appointed by the Court of Assistants to heare and give in our determination about the differences betweene the comoners and non comoners of Marblehead, doe agree as followeth, viz<sup>t</sup>: that the order which those that stile themselves comoners made in the yeare 1647 shall stand good, and they to enjoy those comons as it was then ordered and stands vpon record in their toun booke, made on the tenth of Aprill, in the yeare abouesajd, and doe allow those comoners, each p<sup>t</sup>iccular house of them, one cow comon more.

Ans<sup>r</sup> to, &c,  
and comitte  
& Courts settle-  
ment of Mar-  
blehead.

Secondly. Wee doe further agree, that all those fueteen or sixteene houses which were built in Marblehead before the yeare sixteene hundred & sixty shall be allowed one coues comon & a halfe, which were brought to us in a particullar lyst; wee say to each house one comon & a halfe.

Thirdly. Wee doe further agree, that vnto euery remayning dwelling house now in Marblehead at this present day shall haue a cow comon apeece, and that all those comons which are appropriated to each house throughout the whole toun shall not be sould from the house.

Fouerthly. What swamps or lands the comoners haue appropriated to themselves shall be voyd & lye vnto comon.

Furthermore wee agree, that the charge the Court of Assistants did find for the non comoners those that are called the comoners shall pay, and that the charge of the comissioners shall be payd by the comoners & non comoners æqually.

W<sup>m</sup> HATHORNE,  
HEN: BARTHOLMEW,  
JOSEPH GRAFTON,  
GEORG CORWIN,  
TH<sup>o</sup> LAIGHTON,  
RICHARD PRINCE,  
JN<sup>o</sup> CORWYN.

The Court approoves of this returne, and order it to be recorded as a fynall settlement thereof.

Mr Thomas Daniel is appointed capt<sup>t</sup> of the ffoote company in Portsmouth, & Samuel Keys is appointed his ensigne.

Tho. Daniel  
cap<sup>t</sup> of foot  
comp. in Ports-  
mouth, &c.

1674.

7 October.

[\*20.]

Order for Tre  
to satisfy Mr  
Vsher for 292  
muskets.

Ans<sup>r</sup> to Xtoph<sup>r</sup>  
Crows petico.

\*The Court, hauing agreed w<sup>th</sup> Mr Vsher to send to England for musketts, w<sup>ch</sup> accordingly is don, judge meet to order the Treasurer of the country to sattisfy Mr Vsher in money according to agreement, w<sup>ch</sup> his bill giuen in for, for two hundred ninety two muskets, scourers, & moulds, w<sup>th</sup> advance, comes to two hundred seventy six pounds eleven shillings & three pence.

In ans<sup>r</sup> to the petico<sup>n</sup> of Christopher Crow, of Boston, inkeeper, humbly desiring the favour of this Court to remitt his fine imposed on him, &c, the Court judgeth it meet to referr the case to the County Court of Suffolke, who are hereby impowred to remitt or abate the fine aboue mentioned as they shall judge meete.

Mr Bells trus-  
tees to pay y<sup>e</sup>  
rents, &c, to y<sup>e</sup>  
ffeeffees of  
Roxbury  
schoole.

As an addition to the Courts declaration or resolue as to Roxbury free schoole, the last sessions, in May, this Court judgeth it meet that the trustees of Mr Bells estate, from tyme to tyme, pay the rents of sajd estate vnto the ffeoffees aforesaid, or theire assignes, for the vse of sajd schoole.

Cap<sup>t</sup> Rich.  
Walderne  
made serjt ma-  
jor of York-  
shire.

Cap<sup>t</sup> Richard Walderne hauing had the comānd of the militia in Yorkshire, by authority from this Court, for the two last yeares past, & hath this summer draune forth the regiment of foote & troope of horse there, excercised them in military discipljnc, this Court doeth heereby appoint him, the sajd Richard Walderne, to be the sarjant majo<sup>r</sup> of the forces in Yorkshire, and doe order, that he haue comission as other majo<sup>r</sup>s haue for authorizing him to that service.

Daniel Warner  
ensigne of Hat-  
feild compa.

Itt is ordered, that Daniel Warner be ensigne to the ffoot company in Hatfeild.

Order to divide  
Salem compa-  
ny.

Jos. Gardiner  
cap<sup>t</sup> to y<sup>e</sup> 1st.

The Court, taking notice of the increase of the souldjers in Salem, judge it meet to order that the ffoot company there be by the selectmen of Salem diuided into two companyes, and their distinct limitts by them to be pscribed, and that Joseph Gardiner be captaine to the first foote company in Salem.

Jn<sup>e</sup> Corwin  
cap<sup>t</sup> to y<sup>e</sup> 2d.

And that John Corwin be captaine of the second foot company in & about Salem.

Ans<sup>r</sup> to Elis.  
Connigraues  
petico<sup>n</sup>.

In ans<sup>r</sup> to the petico<sup>n</sup> of Elisabeth Connigraue, humbly desiring the favor of this Court to remitt the fine imposed on her, the Court reffers the petico<sup>n</sup>er to the County Court, to doe therein as they see cause.

Ans<sup>r</sup> to  
Swampsefields  
petico<sup>n</sup>.

In ans<sup>r</sup> to the petico<sup>n</sup> of the inhabitants of Swampsefield, the Court judgeth it meet to order Cap<sup>t</sup> Elizur Holyoke, Left W<sup>m</sup> Clarke, & Left W<sup>m</sup> Allice to be a comittee, who are heereby desired to repajre to the places, & to vejw the same, what either doe desire, & make report to the Court what may be meet to be granted; provided also, that a farme of two hundred & fuetty acres of the best be reserved & layd out for the country when the grant shallbe.

\*In ans<sup>r</sup> to the petition of Ephraim Curtis, the Court sees no cause to grant the petitioners request, hauing heard & setled it the last Court.

1674.

Itt is ordered by this Court and the authority thereof, that the Comission<sup>r</sup>s Court of the county of Devon, at the eastward, haue power to end, heare, and determine all civil actions arising within that county to the vallew of ten pounds, any lawe, vsage, or custome to *to* the contrary notwithstanding.

7 October.

[\*21.]

Ans<sup>r</sup> to Ephr. Curtis peti<sup>o</sup>n.Power of Comiss<sup>r</sup>s County Court in Devon.Ans<sup>r</sup> to W<sup>a</sup> Sheffelds peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Sheffeld, the Court judgeth it meete to grant the petitioner the forty acres of land in the place mentioned in his petition, as it ljetth joyning to Meadfeild lje on one side, & part of his oune lande, & partly next the land of M<sup>r</sup> Deane Winthrop, all of it not exceeding fuety acres, as is exprest.

The Court, hauing perused what hath bin presented by the secretary in transcribing the reccords, buying of bookes, &c, approove thereof, and doe order that it be finished in comparing or otherwise, according to Court order, and that he be allowed for his service therein seuenty pounds, the one halfe in money, the other halfe in country pay, which is in ffull satisfaction of what is due vpon that account, and that M<sup>r</sup> Joseph Dudley is hereby desired & appointed to be helpfull in comparing of what is yet not finished.

Secretarys allowance for transcribing the reccords.

In ans<sup>r</sup> to the petition of the inhabitants & proprietors of the land at or neere Boggestow, the Court grants the peti<sup>o</sup>ners the quantity of six miles square, not exceeding eight miles in length, to take in as many farmes w<sup>th</sup> the vacant land adjoyning or intermixt therew<sup>th</sup> as that quantity of land will admitt, provided that none of the farmers shall haue any part of the aforesajd vacant lands now granted by this Court, (but the sajd land to be distributed amongst such other persons as will come to inhabit in the sajd toun, as the major p<sup>ts</sup> of the said ffarmers shall thinke meet;) provided that there be a farme of two hundred acres of meet land reserved, and by Cap<sup>t</sup> Fisher layd out for a farme for the country, and that no man shall haue allotted him aboue fuety acres till there be twenty new familjes setled there, and then the whole that is free to be disposed of as the major part of the inhabitants capable by law to vote shall judge meete, and the name of the place to be called Sherborne.

Ans<sup>r</sup> to inhabitants of Boggestow peti<sup>o</sup>n.A new plantation granted 6 miles sq<sup>r</sup>, vide p<sup>a</sup> 443, called Sherborne.

In ans<sup>r</sup> to the petition of Richard & Isaac Wooddey, the Court judgeth it necessary, in order to a fynall issue of the case, and that there be no further after hearings, doe finde for the plantiffes sixty pounds damage mony, & costs of this Court three pounds fueteen shillings & one penny, w<sup>th</sup> ten pounds mony for the Courts hearing of the case, all to be payd by Joseph Rocke, administrator of the estate of the late M<sup>rs</sup> Martha Coggan.

Courts judgment in Wooddeys case.

[\*22.]

Courts judgment in reference to Pattens estate, &amp;c.

\*In ans<sup>r</sup> to the petition of Thomas Pattyn, sonn and attorney to John



1674. Pattyn, of the parish of Crookehorne, in the county of Somerset, in England, clayming right as next heire vnto Nathaniell Patten, late of Dorchester, in New England, deceased, who djed intestate, this Court hauing considered the pleas & euidences of y<sup>e</sup> sd Patten, & just allegation & euidences of Benjamin Beale, of Dorchester, in New England, sisters son to the deceased, doe not see reason according to our lawe to admitt John Pattyn, of Crookehorne, aforesajd, to be heire vnto the reall estate of Nathaniel Patten, deceased; but for a fynall issue of this case, doe order and determine as followeth: 1. That the relict & widdow of Nathaniel Patten doe quietly & peaceably enjoy to hir and hir heires, executors, and administrators for euer, that part of the estate set out & ordered vnto her by the County Court of Suffolke. Secondly. Touching all the rest of the estate of Nathaniel Patten, deceased, it is ordered that it be divided into two æquall parts, one pte whereof shall be & is hereby given to Benjamin Beale, aforesajd, his heires, executors, administrators, & assignes for euer; and the other part shall be & is hereby given to Thomas Patten, atorney vnto John Patten, for the vse of the sajð John Patten, or any other person concerned, to him or them, & to his or their heires, executors, administrators, & assignes for euer; and Thomas Patten (according to his engagement) is ordered to pay forthwith ten pounds in mouny for the Courts chardges in hearing the case.

Q.  
Courts resolve  
of y<sup>e</sup> quest.  
as to Beale &  
Patten.

Benjamin Beale hauing, since the order of the County Court, disbursed a considerable sum vpon the wharfe & warehouse in Boston, called Halsey Wharfe, whither is Thomas Patten, atorney to John Patten, of Crookehorne, in the kingdome of England, to haue halfe of that estate as it now is, or whither should the sajð Patten allow vnto y<sup>e</sup> sd Beale the one halfe of the true & reall disbursement, the Court resolves this question on the affirmative, so as the sajð Beale be accountable to the sajð Patten for the one halfe of the profits of sajð estate since the time aboue mentioned.

Courts ans<sup>r</sup> to  
Mr Rich. Whar-  
ton, atorney  
to Samuel Bel-  
lingham, Esq<sup>r</sup>,  
his petiçon.

In ans<sup>r</sup> to the petiçon of Mr Richard Wharton, atorney to Samuell Bellingham, Esq<sup>r</sup>, the Court judgeth it meet to grant a hearing of the case mentioned in his petitions, and that all partjes concerned be sumoned to attend the same next after the colledg busines now on foote is heard. Sumons issued out accordingly. The sajð Richard Wharton at the time appeared; so also did Mr Jn<sup>o</sup> Oxenbridge, Mr James Alljn, Mr Anthony Stoddard, & Mr Humphry Davy, execcuto<sup>rs</sup> & trustees of & to the late will of Richard Bellingham, late Esq<sup>r</sup> & Gouverner of this colony. The Court, hauing considered the matter relating to the will of the last Gou<sup>r</sup>ner, Richard Bellingham, Esq<sup>r</sup>, and finding by the testimonys \*of considerable persons (vnto whom the Gou<sup>r</sup>ner declared his minde) at the tyme of making his will, that he intended to haue

[\*23.]

made a codicill or additions to his will, had not Gods hand disenabled him by weakenes of body; also, the Court being informed that there are some parts of the estate of the late Gouñer not disposed of by will, & some other matters of æquity to be considered in that matter w<sup>th</sup> respect to M<sup>r</sup> Samuëll Bellingham his onely son & child living, & to his relict, vpon consideration of the whole matter, this Court doe refferr it to the County Court of Suffolke to consider the case, & draw vp something for the full settlement of that estate, according to right & æquity, & for the honour of the deceased, and for such a suiteable releife vnto his son and widdow, according as the law of God & this country doeth provide; and what the sajd County Court shall doe in the premisses, they are to present it vnto the next Court of Election for their consideration; moreouer, it is refferred to the sajd County Court to vse their best endeavour that the execcuto<sup>r</sup>s & trustees of the late Gouñer doe deliuer vnto M<sup>r</sup> Samuëll Bellinghams attorney, Richard Wharton, one hundred pounds in mony, to be transmitted vnto M<sup>r</sup> Bellingham as soone as may be, for his support & necessary releife.

1674.

7 October.

In relation to  
Gou. Belling-  
hams will, &c.

In ans<sup>r</sup> to the petition of the selectmen of Roxbury, W<sup>m</sup> Parks, Thō Weld, Isack Johnson, &c, it is ordered, that the honoured Gouverno<sup>r</sup> & Symon Bradstreet, Esq<sup>s</sup>, w<sup>th</sup> Cap<sup>t</sup> Foster, Captaine Prentice, Ensigne Elisha Hutchinson to be a comittee to heare & determine the controuersy mentioned in the sajd petiçōn, & to runn the l<sup>j</sup>ne betweene the two tounes, making returne thereof to this Court w<sup>th</sup> all convenient speed; the Gou<sup>r</sup> to appoint time & place as to running of the l<sup>j</sup>ne, but himself & M<sup>r</sup> Bradstreet only to act in Boston.

Comittee to  
runne y<sup>e</sup> l<sup>j</sup>ne  
between Rox-  
bury & Ded-  
ham.

In ans<sup>r</sup> to the petition of Tom, the Indian condemned by the last Court of Assistants to dy for his rape, &c, humbly acknouledging his offenc, pretending ignoranc of the law, &c, the Court judgeth it meet to grant his request as to saving of his life, but order, that he be sold for a slaue for ten yeares, to be sent to the English living in some parts of the West Indjes, remayning in prison till he be sent away.

Tom, Indian,  
p<sup>r</sup>don as to life,  
but condemd to  
slauery for 10  
yeares.

\*In pursuance of an order of the Generall Court, dated 27<sup>th</sup> 3 mō, 1674, appoynting vs subscribers to take cognizance of certaine matters of differenc in the toun of Mendon, & make returne to this Court, wee repajred to the place 13 5<sup>th</sup>, 1674, when, being no considerable appearance of the inhabitants, a warrant <sup>^</sup> issued out, comāding their appearance at eight of the clock in y<sup>e</sup> next following day, when they generally appeared; & though there seemed great dissatisfaction & differenc betweene seuerall of them refferring to church matters as well as civil, yet after large hearing & discourses betweene them-

[\*24.]

Comitees re-  
turned as to  
ending differ-  
ences at Men-  
don.

1674.

7 October.

selues & from the comitte, the third day after our appearance, vpon determination of seuerall differences concluded by ourselues & read vnto them, there appeared reall remorse in seuerall of them, & vniuersall thankfullnes for our paines and labour; their church differences were concluded by mutuall confessions, appointing of a solemne fast & sacrement, which afterward were mutually & peaceably attended; their civil differences were concluded by regulating manner of voating, and appointing voaters & chojce of officers. Other matters of difference were publicquly, at the same tyme, set in order of peace, & referred some to ourselues, which since are issued to mutuall satisfaction; & by seuerall discourses & letters from them since our returne, wee vnderstand not of the remainders of any old differences or arising of any new disturbance vnless it be some particular disturbance from some strangers of Providence, which were apprehended, and are vnder bond of appearance at the next County Court, which Court, wee doubt not, will take effectuall order w<sup>th</sup> them to prevent further disturbance among them.

W<sup>m</sup> PARKES,  
EDWARD TYNG,  
JOSEPH DUDLEY,  
DANIEL FISHER.

The Court accept of y<sup>e</sup> returne, & giue their comitte their thanks for their paines.

24 October.  
Courts accept-  
anc of y<sup>e</sup>  
comittees re-  
turne of y<sup>e</sup>  
Tresur<sup>s</sup> acco<sup>ts</sup>.

Wee, whose names are vnder written, being appointed audito<sup>r</sup>s of the county Treasurers accounts, do find that on ballance there is due to the county from the said Tresurer twenty fower pounds sixteene shillings and nine pence three farthings, the receipts & payments about the Dutch expedition being not here inserted; also one hundred & fuetty pounds to be receaved on Majo<sup>r</sup> Shapleigh<sup>s</sup> fine.

Dated this 24<sup>th</sup> October, 1674.

W<sup>m</sup> HATHORN,  
THO: CLARKE,  
HENRY BARTHOLMEW,  
HUMPHRY DAVY.

[\*25.]

Courts judgm<sup>t</sup>  
inter Su. Mar-  
tin & Mary  
Jones ag<sup>t</sup>  
Nath. Wins-  
low.

The Court doe allowe & approove of this returne of their comitte.

\*The Court, hauing heard & considered of the case of Susanna Martyn & Mary Jones, plaintiff, by petiçon, against Nathaniel Winslow, defend<sup>t</sup>, and on pervsall of what hath binn heard & alleadged by both partjes in the case, doe

find for the defendant costs of this Court, w<sup>th</sup> five pounds mony for hearing the case, w<sup>th</sup> last was remitted on the importunat petiçõns of sajð Susanna Martjne. 1674.

24 October.  
Comittee to  
p<sup>r</sup>ve the  
Courts acts,  
&c.

It is ordered, that Majo<sup>r</sup> Thomas Clarke & M<sup>r</sup> Humphry Davy, w<sup>th</sup> the secretary, be a comittee to p<sup>r</sup>ve the acts of this Court, and determine what they judge meet to be printed.

In ans<sup>r</sup> to the petiçõn of M<sup>r</sup> Anthony Stoddard, together w<sup>th</sup> M<sup>r</sup> Rocks ans<sup>r</sup> or petiçõn, the Court judgeth it meet to order & appoint M<sup>r</sup> John Richards & M<sup>r</sup> Jn<sup>o</sup> Joyliffe to joyne w<sup>th</sup> M<sup>r</sup> Thomas Danforth, ouerseer to the last will & testament of the late M<sup>r</sup> John Coggan, who are hereby fully impowred & authorized to call all partjes concerned therein before them, and on p<sup>r</sup>vsall of the sajð will, w<sup>th</sup> hearing what the sajð partjes can say for themselues, to issue and fynally determine what they judge to be right in all respects to one or other in relation to the sajð will, which their determination of any two of them, M<sup>r</sup> Danforth being one, shall be a fynall issue thereof.

This Court was dissolved.

*Att a Generall Court for Elections, held at Boston, the 12<sup>th</sup> of May, 1675.* 1675.

12 May.

**J**N<sup>o</sup> LEUERET, Esq<sup>r</sup>, was chosen Gofin<sup>r</sup>, & tooke his oath in open Court. Samuel Symonds, Esq<sup>r</sup>, was chosen Dep<sup>t</sup> Gofin, & tooke his oath in open Court. Symon Bradstreet, Esq<sup>r</sup>, was chosen an Assistant & 1<sup>st</sup> comissio<sup>r</sup> in reserve.

Daniel Gookin,	} & Majo <sup>r</sup> Geñill, & 2 <sup>d</sup> Comission <sup>r</sup> in reserve. Esq <sup>r</sup> s, were chosen Assistants, and tooke their oaths in Court, &c. & Tresurer, & tooke his oath 13 <sup>th</sup> May, 75. & 1 <sup>st</sup> Comission <sup>r</sup> for y <sup>e</sup> Vnited Colonjes. tooke his oath the 13 <sup>th</sup> day of May.  & 2 <sup>d</sup> Comission <sup>r</sup> for the Vnited Colonjes.
Daniel Dennison,	
Symon Willard,	
Richard Russell,	
Thomas Danforth,	
W <sup>m</sup> Hathorne,	
John Pynchon,	
Edward Tyng,	
W <sup>m</sup> Staughton,	
Thomas Clark,	

Edward Rawson was chosen Secretary, and tooke his oath 13 May.



1675.

12 May.

The names of the seuerall gen<sup>tn</sup> returnd from the seuerall townes to serve at this Court are as followeth on the other side.

[For the names of the Deputies, see page 41.]

[\*26.]

\*In ans<sup>r</sup> to the petiçōn of seuerall inhabitants of Boston, as also of other townes in this colony, this Court judgeth it meet to declare and order, that the law for the restrayning of booke debts shall be and hereby is lengthened for two yeares more from this tyme, any thing in that law notw<sup>th</sup>standing.

Prohibition of  
sheeps wooll.

It is ordered by this Court and the authority thereof, that henceforth it shall not be lawfull for any person or persons whatsoever, directly or indirectly, to export any sheeps wooll out of this jurisdiction by sea to any forreigne parts, on pœnalty of forfeiting all such quantitjes or parcells of wooll that shall be taken on board any ship or other vessell w<sup>th</sup> intent to transport the same, the one halfe to the informer, and the other halfe to the publick treasury; and that no master of any ship or vessell shall receive any sheepes wooll aboard his ship or vessell to be so transported, on pœnalty of forfeiting the full value or worth thereof; and the selectmen of euey sea port toun are hereby to choose in each toun one meet person annually to inspect this matter, & execute this order.

Racoone furs  
not to be ex-  
ported on pœn-  
alty, &c.

Whereas this Court is informed of the vsefullnes of racoone furs for making a good sort of hatts for the supply of the country, —

It is therefore ordered and enacted by this Court and the authority thereof, that from & after three months after the publication hereof no racoone furs or skinns shall be shipt for exportation out of this jurisdiction, vpon the pœnalty of the forfeiture thereof, the one halfe to the informer, & the other halfe to the country; and to the end, that this law may be duly executed, it is ordered, that such persons as are appointed to execute the law prohibiting the transportation of sheepes wooll shall in like manner execute this order.

Marshall not  
to make any  
deputy in case.

It is ordered by this Court & the authority thereof, that it shall not henceforth be in the power of any marshall to make, constitute, or appoint any deputy in his place or stead to serve attachments or levy executions where the sajd deputy is personally related or concerned, nor shall it be lawfull for any constable to make a deputy to serve attachments or levy executions in any case, any law, custome, or vsage to the contrary notw<sup>th</sup>standing.

[\*27.]

Direction to  
cl., sec., &  
marshall, ab<sup>t</sup>  
executions,  
levying, & re-  
cording.

\*For the better direction & regulating of all clarkes, secrêtarys, marshalls, & constables, in reference to the granting & serving of executions, it is hereby ordered and enacted by this Court, that all executions shall be made according to the words of the judgement, w<sup>th</sup>out addition or substruction, and that the officer that grants the same keepe vpon reccord the day, moneth, & yeare when it was granted, and that all marshalls & constables take care to see

them recorded; and in case of houses & lands taken vpon execution, it concerns the person or persons to whom they are deliuered to see it duely recorded, which being don, shall be a legall assurance of such houses & lands to him & his heires foreuer.

1675.

12 May.

Whereas the marshalls oath requires them to make returne of such attachments as they serve to the Courts to w<sup>ch</sup> they are retournable, which in many cases are very chargeable & troublesome, it is therefore ordered, that henceforth marshalls & constables shall be obleidged only to make their returne vpon the backside of the attachm<sup>t</sup>, and the same deliuer to the plantiffe or his orders, scaled vp, when demanded, giving first a copy thereof to the defendant, if he desires it; and that no marshall or constable shall be bound to serve any attachm<sup>ts</sup> till they haue their fees payd them which the law allowes, any law, vsage, or custome to the contrary notwithstanding; and the aforesajd clause in the marshalls oath relating to the returne of attachm<sup>ts</sup> to the Court is hereby repealed and declared disobleiging.

Marshalls direction to make returnes of attachm<sup>t</sup>, &c.

Whereas the law requiring constables to haue black staues enjoyns them to take their sajd staffe w<sup>th</sup> them when they are in execution of aney part of their office, w<sup>ch</sup> in some cases prooves inconvenient, by giving oppertunity to delinquents to escape, for prevention whereof, as an explanation of the sajd lawe, it is hereby declared, that it is intended that constables acting from their oune authority, & by virtue of the duty of their place & office, shall then alwayes take w<sup>th</sup> them their black staues in the execution of their place & office; but when they shall act by virtue of warrant to them directed from authority, they shall then be at liberty whither to carry their black staffe or not.

Constables direction about their staues.

Vppon information from the comitte of the Castle that there is due to workemen, &c., and for money disburst for that service, to the value of three hundred pounds, or there abouts, according to their best guesse, this Court doth order, that the Treasurer of the country doe, as soone as may be, make payment of what is already due, as it shall be directed by the comitte of the Castle vnto the respective creditors; and likewise, that the sajd Tresurer doe disburse, from time to time, as shall be necessary to the finishing & preserving the sajd worke as shall be charged on him by the comitte, not exceeding three hundred pounds.

Order for finishing the Castle.

\*Whereas the time formerly agreed vpon w<sup>th</sup> the mint masters is now expired, for the future well settling of that matter, this Court doth desire & impower the honoured Gouner and Magistrates residing in Boston, or any three of them, to be a comitte to treat w<sup>th</sup> such persons as they shall thinke meet, and to make such an agreement w<sup>th</sup> them for the coyning of the mony of this

[\*28.]

Order settling the mint.

1675. jurisdiction as may be most encouraging to all persons that haue bullion to bring in the same to the mint.

12 May.

Order abt mrs  
of smale ves-  
sells trayning,  
N<sup>o</sup>.

For explanation of the law, title Military, secti 9, in exemption of ships, & other vessells aboue twenty tunns, from traynings, it is hereby declared, that it is only intended in that order the exemption of such masters as trade & passe to foreigne parts, and not of those whose imploy of their vessells is in these parts, and neere where they liue vpon these coasts.

Order for nom-  
ination of mili-  
tary officers,  
N<sup>o</sup>.

Whereas the allowing & appointing of all comission military officers in this jurisdiction belongs properly & only to this Court by lawe, both peacefull & sattisfactory, and in asmuch as this Court may not be acquainted w<sup>th</sup> many vsefull & fitt persons for that service, it is therefore hereby ordered, that henceforth it shall & may be lafull for the comitte of militia in the seuerall tounes where there shall be neede to present the names of two or three meet persons in their tounes for such service & office to this Court for their approbation or otherwise, as they shall see cause.

Order for keep-  
ing County  
Courts in  
Devons.

In regard of the remotenes of the county of Devon<sup>e</sup>, there being no magistrate neere those parts, whereby it is matter of difficulty to haue the County Court there kept by one of our magistrates according to the law, it is therefore hereby ordered, that hereafter it shall & may be lafull for the County Court of Devon<sup>e</sup>, from time to tjme, to be kept by such gent<sup>e</sup> as shall be by this Court a<sup>n</sup>ually comissionated to that service.

Comission's to  
keepe y<sup>e</sup> Coun-  
ty Court in  
Devons. & As-  
sociat Courts.

Mr Humphry Davy, Cap<sup>t</sup> Th<sup>o</sup> Lake, M<sup>r</sup> Rich<sup>d</sup> Collecot, Cap<sup>t</sup> Thomas Gardiner, & M<sup>r</sup> George Mountjoy are appointed & hereby comissionated to keepe the next County Court in Devonshire for this yeare ensuing, as is stated by law, or any three of them, whereof M<sup>r</sup> Davy or Cap<sup>t</sup> Lake to be one, w<sup>th</sup> such as shallbe appointed associates for that county for this yeere, as Cap<sup>t</sup> Thomas Gardiner, Cap<sup>t</sup> Robert Patteshall, John Palmer, Se<sup>n</sup>, of Monhegin, Robert Gamnon, and Richard Olliuer, who are hereby also appointed & impowred for this yeare ensuing as associates in Devonshire, & to keepe Courts for tenn pounds value, \*and either of them to take acknowledgments of deeds, marry such as are legally published, punish offenders, the p<sup>e</sup>nalty of which offences exceed not ten shillings, or by whipping, not exceeding tenn stripes, and in other cases to bind them ouer to the Associate & County Courts.

[\*29.]

Comission's for  
Portsmouth.

Majo<sup>r</sup> Richard Walderne, Cap<sup>t</sup> Richard Cutts, M<sup>r</sup> Elias Styleman, & euery of them, are appointed comissioners for Portsmouth for y<sup>e</sup> yeare ensuing as the last yeare, & Majo<sup>r</sup> Waldern also is appointed comissioner in Yorks.

Comissioners  
for Norfolke.

M<sup>r</sup> Nathaniel Saltonstall, Majo<sup>r</sup> Robert Pike, & M<sup>r</sup> Samuel Dalton are appointed comissioners for Norfolke as the last yeare, & that comissions be drawne for all.

Symon Broadstreet, Esq̃, is appointed to keepe the County Courts in Norfolke for the yeare ensuing w<sup>th</sup> the associates there. 1675.

Cap<sup>t</sup> Nathaniel Saltonstall, Major Robert Pike, M<sup>r</sup> Samuel Dalton, & M<sup>r</sup> Thomas Bradbury are allowed of by this Court for to be associates for the county of Norfolke, according as returned, to haue binn nominated by y<sup>e</sup> townes in that county.

Symon Willard, Esq̃, is appointed to keepe the County Courts in Douer & Yorks for this yeare ensuing.

Major Richard Walderne, Major Robert Pike, Cap<sup>t</sup> Richard Cutt, Cap<sup>t</sup> Elias Styleman, and M<sup>r</sup> Richard Martyn are allowed & approved of to be associates for the county of Douer & Portsmouth, as they were returned by the townes of y<sup>t</sup> county.

Major Bryan Pendleton, M<sup>r</sup> Roger Plajsted, M<sup>r</sup> Edward Rishworth, M<sup>r</sup> George Mountjoy, and Cap<sup>t</sup> John Wincoll are allowed & approved of to be the associates for the county of Yorks for this yeare ensuing, as returned by y<sup>e</sup> townes.

M<sup>r</sup> Henry Clarke, Cap<sup>t</sup> Elizur Holljoke, Lef<sup>t</sup> W<sup>m</sup> Clarke, & Leif<sup>t</sup> David Wilton are allowed for to be associates for the county of Hampshire, as they were returnd by y<sup>e</sup> townes of y<sup>t</sup> county, & to keepe Court w<sup>th</sup> Maj<sup>r</sup> Ju<sup>o</sup> Pinchon, Esq̃.

Whereas there was on hundred & fifty pounds p a<sup>n</sup>im in money settled vpon D<sup>r</sup> Hoare, late president of the colledge, who hath now made a resignation of that place for some space of time, which notwithstanding, this Court doeth heereby order the continuation of his full sallery vntill this Courts sitting, according to order.

This Court, receiving information from the honored & reuerend o<sup>u</sup>seers of the colledge, that vpon D<sup>r</sup> Hoares resignation of the præsidents place, they haue concurred w<sup>th</sup> the corporation in the election of the Reuend M<sup>r</sup> Vryan Oakes to be præsident of the colledge, & haue accordingly intreated & prae-  
vayled w<sup>th</sup> the sajd M<sup>r</sup> Oakes to take the present ouersight & gou<sup>u</sup>ment of the colledge as president; they doe declare their hearty approbation of the election of M<sup>r</sup> Oakes to that place, and doe & doe earnestly desire his acceptanc thereof and continuance therein, that there may be a revivall of that society vnto the glory of God & the publicke weale of these churches so much concerned therein.

\*It is ordered that the president of the colledg shall haue allowed him one hundred pounds in money by the yeare, to be payd him by the Tresurer of the country.

This Court ^ into their consideration the smalenes of our honoured Gou-

12 May.

M<sup>r</sup> Bradstreet to keep Norfolke County Courts.

Associates for Norfolke.

Major Willard to keepe Courts in county of Portsmouth & Yorks.

Associats for Norfolke.

Associates for Yorks.

Associates for Hampshire.

D<sup>r</sup> Hoares gratuity.

M<sup>r</sup> Vryan Oakes præsident of Harvard Colledge.

[\*30.]

100<sup>li</sup> p<sup>r</sup> ann. to y<sup>e</sup> president.

Gratuity to y<sup>e</sup> Gou<sup>u</sup>no<sup>r</sup>.



1675.

12 May.

The Tr. to pay  
Mr Torrey five  
pounds.

Order for y<sup>e</sup>  
quickning of  
the seuerall  
tounes, as well  
y<sup>e</sup> that haue  
subscribed &  
are behind as  
those y<sup>e</sup> haue  
not, to bring  
in, &c, their  
contribution to  
furth<sup>r</sup> & finish  
y<sup>e</sup> new build-  
ings, &c, at y<sup>e</sup>  
colledge.  
New colledge.

Mr James Al-  
lin one of the  
licencers of y<sup>e</sup>  
presse.

[\*31.]

Major of Suf-  
folk returne as  
to y<sup>e</sup> diuision of  
compa. in Bos-  
ton.

erno's yearly salary, & the dayly encrease of his expences & labour in that place of publicke service, they order & appoinct, that the Tresurer shall pay vnto him the summe of one hundred pounds, by way of gratuity, & as a testimony of their respect to him.

In consideration of the Reuerend Mr Torrey his charge in printing his election sermon, the Court judgeth it meet to give him five pounds out of the publick treasury, to reimburse his charge therein.

Vpon information from Deacon John Cooper & Mr W<sup>m</sup> Manning, (who are betruusted for the colledge worke or ædifice at Cambridge,) that seuerall tounes haue returned no subscriptions to this day, as appeares by an accompt vnder the sajd trustees hands, this Court doeth therefore order, that the secretary doe forthwith signify to the tounes respectively the pleasure of this Court, which is, that the selectmen in each of the tounes (who are behind in their payments according to their subscriptions) doe forthwith make such effectuall provision, that the one halfe thereof at least may be speedily brought into the said comittee, & the remayning part as soon as may be; as likewise that letters may be sent to the secretary to those tounes that yet haue not subscribed, requiring the elders or minister in the sajd tounes to stirr vp the inhabitants to so pious and necessary a worke. The secretary in his letters is to enforme of the incouragement there is by the late progresse of affaires in sajd colledge, & likewise to lett such know who are & shall continue to be wholly neglective herein. This Court, at the next session, will be enforced to take further order herein, that some be not eased, & others burdened, and that the charge of transportation is to be payd out of the contribution.

Mr John Oxenbridge, the late reuend pastor of the first church in Boston, deceased, hauing binn appointed one of the ouerse's of the press, this Court orders and appoints Mr James Allin, teacher of the sajd church, to succeed in that place in his roome.

\*In pursuance of an order of the Generall Court in October last, the major of the county of Suffolke, w<sup>th</sup> the comission officers of Boston, mett this day, & on due consideration & veywing the lyst of the trayned souldjers in this toun, in obedience to the sajd order, divided the sajd souldjers into eight companjes, & bounded them accordingly, & do make this their returne, requesting the major to present it, & was signed by the comission officers in that toun, which the Court considering of proceeded. It is ordered, that Cap<sup>t</sup> Thomas Lake be captaine of the new company rayسد out of Cap<sup>t</sup> Savage his company, Mr John Richards, cap<sup>t</sup> of that company rayسد out of Major Clarks company, Mr Humphry Davy to be cap<sup>t</sup> of that company rayسد out of Cap<sup>t</sup> Olliuers company, & Mr John Hull cap<sup>t</sup> out of that raised out of the South Company, whereof W<sup>m</sup> Hudson is cap<sup>t</sup>.

Cap<sup>t</sup> Thomas Lake, by his petition presented to this Court, & Mr Humphry Davy appearing in Court, & both desiring the Courts favour to accept of their refusall as to those offices, the Court granted their motions, and proceeded, leaving the said Cap<sup>t</sup> Lake in the station he now is, and appointed Mr Daniel Hinchman cap<sup>t</sup> of that company, and Left Thomas Clarke cap<sup>t</sup> instead of Mr Davy, in that company; and did also order & appoint Hugh Drury to be left, & John Wing ensigne, to the foot company, vnder the comānd of Cap<sup>t</sup> Daniel Hinchman, who is to haue the fifth place.

1675.

12 May.  
All to haue y<sup>e</sup>ir  
comissions ex-  
cept.

And Mathew Barnard left, Anthony Cheekly ensigne, to the company, vnder the comānd of Cap<sup>t</sup> John Richards, who is to haue the sixth place; and Enock Greenlefe to be left, & Pen Tounsens ensigne, to the ffoot company, vnder the comānd of Cap<sup>t</sup> Thomas Clarke, who is to haue the seventh place.

Anthony  
Cheekly to  
take y<sup>e</sup> oath of  
fidelity, &c.

And Theophilus Frary left, and Benjamin Thirston ensigne, to the foot company, vnder the comānd of Cap<sup>t</sup> John Hull, who is to haue the eighth place.

Daniel Turell is appointed & ordered to be ensigne to the ffoot company of Major Thomas Clarks.

Daniel Turin  
ensigne.

It is ordered, that Elisha Hutchinson be left, and Ephraim Turner ensigne, to the ffoot company of Cap<sup>t</sup> James Olliuier.

Elisha Hutch-  
inson left, Eph<sup>r</sup>  
Turner ensign.

It is ordered, that Nathaniel Reynolds be left to the ffoot company of Cap<sup>t</sup> W<sup>m</sup> Hudsons.

Nath. Reyn-  
olds left.

\*It is ordered, that John Price be leftenānt, & John Higginson ensigne, to the first ffoot company in Salem, (under the conduct of Cap<sup>t</sup> Joseph Gardiner,) they taking the oath of fidelity till this Court further order.

[\*32.]

Jn<sup>o</sup> Price left,  
& Jn<sup>o</sup> Higgin-  
son ensigne, to  
y<sup>e</sup> 1st company  
in Salem.

It is ordered, that Richard Leach be leftenānt, & John Pickering ensigne, to the second foote company in Salem, vnder the conduct of Cap<sup>t</sup> John Coruin.

Rich. Leach  
left, & Jn<sup>o</sup>  
Pickering en-  
signe.

It is ordered, that Thomas Burnam be ensign to the ffoote company in Ipswich, vnder the conduct of Major Generall Denisson, Esq<sup>r</sup>, their cap<sup>t</sup>.

Tho. Burnam  
ensigne to Ips-  
wich.

For explanation of the law, title Military, sect<sup>i</sup> 9, in explanation of masters of ships & other vessells aboue twenty tunns from trayning, it is hereby declared, that it is onely intended in that order the exemption of such masters as trade & passe to forreigne parts, and not of those whose imploy of their vessells is in these parts, and neere where they liue vpon these coasts.

Law or order  
ab<sup>t</sup> smale ves-  
sells.

Whereas the collection of the country & Castle rate in the yeare 1673 was obstructed in the toune of Hauerill by the death of the constable of the said toune, this Court doeth order, that the Tresurer of the country grant forth a warrant to the constable now in being, to gather in & pay the said rates to the Tresurers that are to receive the same.

Constable of  
Hauerill to col-  
lect y<sup>e</sup> rates  
ther of country  
& Castle.

1675.

12 May.  
Mr Moodys  
sermon to be  
printed.

Courts ans<sup>r</sup> to,  
& co<sup>m</sup>mittee ab<sup>t</sup>  
Salem & Mr  
Higginsons pe-  
ti<sup>c</sup>ion, &c.

This Court, considering the elaborate & seasonable discourse of the Reuend Mr Joshua Moody enterteyned the Generall Assembly with on the day of elec<sup>c</sup>ion, judge meet to entreate the said Mr Moody to transcribe a copy thereof meete for the presse, that it may be printed.

In ans<sup>r</sup> to the petitions & remonstrances of seuerall inhabitants of Salem, as also the peti<sup>c</sup>ion & remonstrance of Mr John Higginson, the Court judgeth it meete, on their p<sup>e</sup>rsvall thereof, to order & desire our honoured Go<sup>v</sup>no<sup>r</sup>, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Samuel Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Gouverno<sup>r</sup>, Edward Tyng, W<sup>m</sup> Stoughton, Esq<sup>s</sup>, w<sup>th</sup> Mr John Richards, Mr Peeter Bulkly, Cap<sup>t</sup> Hugh Mason, Cap<sup>t</sup> Daniel Fisher, Mr Joseph Dudley, and Cap<sup>t</sup> John Wajte, to be a co<sup>m</sup>mittee to repaire to Salem at such time as the Go<sup>v</sup>no<sup>r</sup> shall appoint, and there call the partj<sup>s</sup> concerned before them; and on a full hearing of what each partj<sup>s</sup> can say for themselues, to endeaue<sup>r</sup> an amicable conclusion betwene them, (if it may be,) & to make their retorne of what they finde & doe therein at the next sessions of this Court.

[\*33.]

Co<sup>m</sup>mittee as to  
Beverly mo-  
tion.

\*In ans<sup>r</sup> to the peti<sup>c</sup>ion or humble motion of the deputy of Beverly in behalfe of the said toun, the Court, on p<sup>e</sup>rsvall of the motion aboue exprest, which is on file, judge meet to appoint Major Generall Da<sup>n</sup>ill Denisson, w<sup>th</sup> Lef<sup>t</sup> Samuel Apleton & Ensigne Fuller, to be a co<sup>m</sup>mittee on the place to ve<sup>j</sup>w the lands mentioned, and make their report to this Court what they judge necessary to be donn therein.

Ans<sup>r</sup> to Cap<sup>t</sup>  
Lawthrops mo-  
tion.

In ans<sup>r</sup> to the humble motion of Cap<sup>t</sup> Thomas Lawthrop, humbly desiring this Courts explanation what their meaning was in their grant to Salem farmers, where it is said all lands w<sup>th</sup>in such a l<sup>i</sup>ne shall pay to their ministrje, whither all improoved lands or lands that are not improoved, where they themselues haue all the benefit, & the ouners none at all, this being decided may prevent many suites, the Court, on p<sup>e</sup>rsvall of this motion, doe appoint & order Major Generall Daniel Denisson, Lef<sup>t</sup> Samuel Apleton, & Ensigne Fuller, to be a co<sup>m</sup>mittee on the place to ve<sup>j</sup>w the lands aboue mentioned, & make their report to this Court what they judge necessary to be donne therein.

Ans<sup>r</sup> to Alice  
Howards peti-  
c<sup>i</sup>on.

In answer to the peti<sup>c</sup>ion of Alice Howard, relict of the late Willjam Howard, late of Boston, deceased, the Court judgeth it meete, there being no heire to confirme the act of the County Court in Boston, on their adjournment, May the 21<sup>th</sup>, 1674, in setling the estate of the said Willjam Howard vpon hir, and doe fully impouer the peti<sup>c</sup>ioners to dispose of the estate left hir by hir husband according to hir desire exprest in hir petition.

Ans<sup>r</sup> to Rich<sup>d</sup>  
Ellice peti<sup>c</sup>ion.

In ans<sup>r</sup> to the peti<sup>c</sup>ion of Richard Ellice, of Dedham, & Jn<sup>o</sup> Bracket, of Billirrica, the Court judgeth it meet that an alteration be made according as is desired, & that the word 'land' be put instead of 'vpland.'



In ans<sup>r</sup> to the petiçōn or motion of Georg Phelps, vncle to Elisha Harte, at the sajd Phelps motion, signed by Elizur Holioke, the sajd Elisha Harte, thō a man groune, betweene thirty & forty yeares, not of abillity to mannage the estate left by his father, the Court judgeth it meet to grant what is desired in that petiçōn, i. e., liberty to make sale of so much of the land as is necessary for the ends proposed, so as it be donne by the advice & approbation of Cap<sup>t</sup> Holjoke, & returne made to the Court of that county to be recorded.

1675.

12 May.

Harts land of Westfeild to be sold in case.

In ans<sup>r</sup> to the petiçōn of Bozoone Allen, the Court judgeth it meete to grant the petiçōner a hearing of his case the next fifth day, at foure of the clocke, and that the secretary give warrant to all partjes concerned to make their appearance at the time appointed, & the petiçōner to signify to them the mind of the Court herein, w<sup>ch</sup> accordingly was done, & the partjes & atturneys appeared accordingly.

Ans<sup>r</sup> to Bozoone Allens petiçōn.

\*In ans<sup>r</sup> to the petition of Nathaniel Bosworth, of Hull, the Court judgeth it meete to grant the petiçōner, w<sup>th</sup> such others as shall present that tract of land therein desired, they being such persons as shall be approued by Willjam Staughton, Esq<sup>r</sup>, Cap<sup>t</sup> Joshua Hubbard, Cap<sup>t</sup> Willjam Torrey, Lef<sup>t</sup> John Smith, and Lef<sup>t</sup> John Holbrooke, M<sup>r</sup> Thomas Dyer, or any fouer of them, who are appointed a cōmittee for the ordering the giving of lotts, or otherwise mannaging the prudentialls there, to make a valid act, provided there be twenty familjes settled there w<sup>th</sup>in three yeares, and that there be also a settled & orthodox minister there w<sup>th</sup>in the sajd terme, and that it be w<sup>th</sup>in our lje, and not intrench vpon any former grant; provided also, that a farme of two hundred & fuety acres be lajd out for the cōntrys farme, and that a plat thereof, when a plat for the place or toun is brought into this Court, be also brought in.

[\*34.]

Ans<sup>r</sup> to Nathan Bosworths petiçōn.

A new plantation granted in case near Mendon.

Countrys farme.

In an<sup>s</sup> to the petiçōn of John Floyd, attorney to Henry Despaw, Señ, & Henry Dispaw, Juñ, the Court judgeth it meete that the clarke of the Court giue vnto the petiçōner a new execution, to be levyed vpon the person or estate of John Gifford & partners, for the full sattisfaction of the judgment obteyned at the County Court held at Boston in January last.

Ans<sup>r</sup> to John Floyds petiçōn, attorney to Henry Despaws.

In regard of the remotenes of the county of Devonshire, and there being no magistrate neere those parts, whereby it is matter of difficulty to haue the County Courts there kept by one of our magistrates, according to the law, it is therefore hereby ordered, that heereafter it shall and maybe lafull for the County Court of Devonshire, from time to time, to be kept by such gent<sup>n</sup> as shallbe by this Court annually cōmissionated to that service.

County Court in Devon, how &amp; by whom to be kept annually.

Ans. to M<sup>r</sup> Bellinghams petiçōn.

In ans<sup>r</sup> to the petiçōn of M<sup>rs</sup> Pencellope Bellingham, humbly desiring the



1675.

12 May.

[\*35.]

Ans<sup>r</sup> to Samp-  
son Shoares  
petition.

favour of this Court to grant hir liberty to w<sup>th</sup>drawe her petiçōn, the Court judgeth it meete to grant hir request, and accordingly it was withdrawn.

\*In ans<sup>r</sup> to the petiçōn of Sampson Shoare, together w<sup>th</sup> the humble request of Nathaniel Bosworth, excecuto<sup>r</sup> to the last will & testament of John Lobdell, the Court judgeth it meete to impower Nathaniel Bosworth, deacon to the church of Christ at Hull, & father in law to John Lobdell, deceased, to make Sampson Shoare a legall deed, as is desired.

Ans<sup>r</sup> to seu<sup>ll</sup>  
inhabitants of  
Marlboroughs  
petiçōn.

In ans<sup>r</sup> to the petition of Thomas King, John How, Señ, John Wood, Señ, Edw<sup>d</sup> Rise, & seuerall other inhabitants of Marlborough, the Court, hauing read & considered this petition, and finding that <sup>^</sup> therein conteyned many reflections vpon this Courts cōmittee, that haue spent much time in hearing and determining that matters of strife that haue been in that place, and whose returne in that matter hath been by this Court received and approved, doe order, that the complaynants shall haue a hearing at the next sessions of this Court, the first sixth day of the weeke, they giving notice thereof to the partjes concerned therein, and give sufficient caution to respond the Courts charges & fynall sentence.

Ans<sup>r</sup> to Rich<sup>d</sup>  
Whartons peti-  
tion as to Dr  
Bellinghams  
case; a hearing  
granted.

In ans<sup>r</sup> to the petiçōn of Richard Wharton, in relation to his complaints in behalfe of Samuel Bellingham, Esq<sup>r</sup>, his petiçōn, w<sup>th</sup> some other papers presented w<sup>th</sup> it, being lajd aside, and the Court ready to breake vp, that they cannot now stay to issue it, which they are desirous of, and doe therefore order, that the secretary give notice to the trustees of the late Go<sup>u</sup>no<sup>r</sup> Bellinghams will, as also to M<sup>r</sup> Richard Wharton, that the case is to be heard & determined the next sessions, the second day of the s<sup>d</sup> Court, that they giue their attendance accordingly.

Ans<sup>r</sup> to Jer.  
Belchars peti-  
çōn & other in-  
habitants of  
Ipsuich for a  
new planta-  
tion.

In ans<sup>r</sup> to the petition of Jerremiah Belchar and seuerall others, inhabit-ants in & about Ipsuich, it is ordered, that the tract of land desired in their petition be allowed a plantation, provided it be but sixe miles square, or the quantity thereof, but not in length more then ten miles, or so much of the plat as conteines that quantity; & for ordering of the affaires thereof, admit-ting inhabitants, granting lotts, and ordering all prudentialls of the place, this

A cōmittee for  
it.

Court appoints the honoured M<sup>r</sup> Symonds, the present Deputy Go<sup>u</sup>no<sup>r</sup>, Majo<sup>r</sup> Generall Daniel Denisson, Cap<sup>t</sup> Samuell Apleton, & Cornet Whiple, or any two of them, to joyne w<sup>th</sup> Quarterm<sup>r</sup> John Perkins, Corporall Jn<sup>o</sup> Andrews, Sarjant Belchar, & Henry Bennet, or any two of them, who being met together, the majo<sup>r</sup> p<sup>te</sup> of them shall haue full power to act therein till the General Court shall otheruise order, provided a farme of three hundred acres, in some convenient place, shall be layd out for the country, & the petitioners not to be excluded from hauing lotts in this grant; also, that it be planted w<sup>th</sup>

twenty families, and have an orthodox minister w<sup>th</sup>in sixe yeares, and that it be not to the p<sup>r</sup>iudice of any former grant.

1675.

In ans<sup>r</sup> to the peti<sup>c</sup>on of Edm<sup>und</sup> & Willjam Sheffeld, humbly desiring this Courts favour to impower Joshua Fisher, son to y<sup>e</sup> late Joshua Fisher, Cap<sup>t</sup> Daniel Fisher, & Thomas Battile, administrato<sup>r</sup> to y<sup>e</sup> late Left Joshua Fishers estate, power to make them a firme deed of sale of the six hundred acres of vpland & meadow, which the sajd Joshua Fisher sold them on Boggestow Brook, w<sup>ch</sup> they pajd him for; & the Court grants theire request, & impowers the administrato<sup>r</sup>s accordingly.

12 May.  
Ans<sup>r</sup> to Ed-  
mund Shef-  
feilds peti<sup>c</sup>on.

\*In ans<sup>r</sup> to the petition of Bryan Pendleton, Humphry Warren, John Leighton, Richard Comins, Jn<sup>o</sup> Sargant, John Carter, w<sup>th</sup> others, &c, the Court judgeth it meet to grant the peti<sup>c</sup>oners the contents of six miles square, and doe hereby desire & impower Cap<sup>t</sup> Frost, Cap<sup>t</sup> Wincoll, & Leiften<sup>nt</sup> Playsted, or any two of them, to lay it out, as a co<sup>m</sup>ittee, in the place propounded, so it be free from former grants.

[\*36.]

A new planta-  
tion granted  
about Saco.

In ans<sup>r</sup> to the petition of Henry Addams, in the name and by appointment of the farmers & petitioners of Sherborne, it is ordered, that Cap<sup>t</sup> Daniel Fisher, Serjant Rich<sup>d</sup> Ellis, & Serjant Thomas Thirston, of Meadfeild, be a co<sup>m</sup>ittee to see the sajd exchange performed to mutuall consent of partjes, & Cap<sup>t</sup> Gookin & M<sup>r</sup> Elliot, on behalfe of the Indians, and to consider the æquality of their other request, provided Naticke bounds be first layd out and agreed vpon, & presented perfected to this co<sup>m</sup>ittee by the first of September next; howeuer, that the co<sup>m</sup>ittee goe on to perfect the plantation by the next session, making theire report to this Court.

Ans<sup>r</sup> to Henry  
Addams peti-  
cion of Sher-  
burne.

As an addition to the fucty shilling allowed Edward Cowell by order of this Court, 27<sup>th</sup> May, 1674, for his horse, prest into the service of the country in a journey to New Yorke, the sajd horse being spoyled in the sajd service, it is ordered, that the country Tresurer pay & make vp the sajd fucty shillings fve pounds, in money, to the sajd Cowell.

Tresurer to pay  
Edw<sup>d</sup> Cowell  
5<sup>th</sup> mony for his  
horse.

The co<sup>m</sup>ittee by the hono<sup>d</sup> Ge<sup>n</sup>ll Court to heare the differenc betwixt Roxbury & Dedham concerning a l<sup>j</sup>ne betwixt the two townes, wee, hauing heard theire allegations & p<sup>e</sup>rvsed the evidences, finde that Roxbury had once a right and title vnto the l<sup>j</sup>ne w<sup>ch</sup> they clajme; but by evidence & agreement wee finde the two townes of Roxbury & Dedham haue made an agreement of another l<sup>j</sup>ne, which was runne by both townes in the yeares 1651 & 1654, to be the l<sup>j</sup>ne of divission betwixt the two townes; but if any of Roxbury haue any propriety w<sup>th</sup>in the sajd l<sup>j</sup>ne towards Dedham, they shall enjoy their particullar propriety, and Dedham enjoy their purchased land

Co<sup>m</sup>mittees re-  
turne as to  
Dedhams l<sup>j</sup>ne  
approved by  
the Court.

1675.

12 May.

purchast of Roxbury : all which wee submitt vnto the honoured Generall Courts determination. Boston, May 3, 1675.

JOHN LEUERET,  
 SYMON BRADSTREET,  
 HOPESTIL FOSTER,  
 THOMAS PRENTICE,  
 ELISHA HUTCHINSON.

The Court, hauing perused the aboue returne, doe approove thereof, as attests

EDWARD RAWSON, Secrety.

Dedhams bill  
 of costs refered  
 to y<sup>e</sup> County  
 Court of Suffolke, &c.

Dedham presenting their bill of costs, amounting to fienety fower shillings, the Court saw cause to referr the consideration thereof to the County Court of Suffolke, & comēd the consideration & remitment of the fines imposed on the sajd tounes for their neglects to them, as they shall see cause.

Cap<sup>t</sup> Carters  
 comission to  
 marry, &c.

Cap<sup>t</sup> John Carter, of Wooborne, is appointed & authorized to joyne such in marriage as are duly published, as the law directs, one of the sajd partjes, at least, living in that precincts.

[\*37.]

Ans<sup>r</sup> to Jn<sup>e</sup>  
 Trumbles peti-  
 con.

\*In ans<sup>r</sup> to the petiçon of John Trumble, in behalfe of the child of Henry Blackman, deceased, the Court judgeth it meete to grant the petiçoners request, and doe impower him to make sale of the sajd house for the ends proposed, he giving an accompt of what he shall doe therein to the County Court of Middlesex.

Ans<sup>r</sup> to Benja.  
 Bosworths pe-  
 tiçon.

In ans<sup>r</sup> to the petiçon of Benjamin Bosworth, the Court judgeth it meete to grant his request, so as the land desired & mentioned in his petiçon exceed not twenty acres, and that it be in this Courts power to dispose of, and not belonging to any toun or person.

Ans<sup>r</sup> to y<sup>e</sup> in-  
 habitants of  
 Oyster River.

In ans<sup>r</sup> to the petition of the inhabitants of Oyster River, Phillip Hollet, Jn<sup>e</sup> Bickford, Robert Burnams, John Woodman, & others, it is ordered, that the petitioners shall haue liberty yearely to choose three selectmen, who shall haue power to make such rate or rates as they shall see necessity for the maintenance of the ministry, to be collected by the constable according to law.

Ans<sup>r</sup> to Edw<sup>d</sup>  
 Colcords peti-  
 con.

In ans<sup>r</sup> to the petition of Edward Colcord, the Court judgeth it meete to referr the hearing & examination of the case mentioned in his petition to the County Court of Norfolke, the sajd Colcord giuing legall notice to persons concerned to attend there, and the sajd Court to make returne to the next

sessions of this Court how they finde the case, that then this Court may make determination therein.

1675.

Whereas Abraham Patch, the son of Edmund Patch, about a yeare since did runne away from his wife (leaving hir w<sup>th</sup> child, and his aged ffather, debilitated in body & minde, w<sup>th</sup>out helpe) w<sup>th</sup> a marrjed woeman, and the sajd father, Edmund Patch, and the wife & child, being left destitute, & repaying by their freinds to the County Court at Ipsuich for help & succour, the sajd Court did sequester the lands of the sajd Edmund Patch, and order the sale of some lands for the present & necessary releife of the sajd father, and wife, & child, w<sup>ch</sup> is already expended, this Court doeth order, that the act of the County Court of Ipswich or Salem shall be valid and good to all intents & purposes for the sale of all or any of the lands of the sajd Edmund Patch, or Abraham Patch, the father, & of the wife & children of the sajd Abraham Patch.

12 May.  
Order for y<sup>e</sup>  
sale of Edmund  
& Abraham  
Patch land.

In ans<sup>r</sup> to the petition of George & Francis Addams, humbly desiring the favour of this Court to confirme vnto them a certeine parcell of vpland & meadow seuerall yeares since given to them by Shoniow, sachem of Nashaway, deceased, called by the name of Washaame Hill, being about the quantity of two hundred acres, which land hath, since the death of the sajd Shoniow, binn confirmed to them by Mathew, his nephew, so called by the English, before the honoured Cap<sup>t</sup> Gookin, and since the sajd Mathews decease againe confirmed by Samuel, now sagamore of the place, and alike acknowledged the eleventh of this instant May, 1675, the Court judgeth it meet to grant the petiçoners request.

Ans<sup>r</sup> to George  
& Francis Ad-  
ams petiçon.

\*Bozoone Allen, plaintiffe, by petiçon, against Jeremiah Jewet and Phillip Nelson, execcuto<sup>r</sup>s to the last will and testament of Joseph Jewet, late of Rowley, deceased, deffendants, in an action of the case depending betweene the sajd partjes, which hath binn heard in inferiour Courts, wherein the plaintiffe craueth the favour & justice of this Court for a fynall issue thereof, this Court, hauing heard & considered the pleas & euidences of both partjes, w<sup>th</sup> the proceedings of former Courts that haue given judgement therein, doe order, that the defendant shall pay vnto the plaintiffe two hundred sixty & seven pounds seventeen shillings & eight pence in corne or catle, at currant prices, (horse kind exempted,) & costs of Court; and that all the houses & lands whereof the sajd Joseph Jewet died seized, and are not legally disposed of or alljenated for sattisfying of his just debts, shall be & remajne as security for payment of his debt, as well as that which the plaintiff hath already extended vpon, & be lizable to be taken in execution for payment thereof, in case that it be not sattisfied in manners as is aboue prouided and ordered, the

Y<sup>e</sup> 200 ac<sup>s</sup>  
confirmd.

[\*38.]

Courts judg-  
ment in y<sup>e</sup> case  
of Bozoone Al-  
len ag<sup>t</sup> Jerre-  
miah Jewet,  
&c, w<sup>th</sup> Jewet,  
Whiple, &c.



1675.

12 May.

plantiffs giving the defendants notice when he will make demand thereof, which he did, on their motion, in open Court, declared to be on the sixteenth day of June next, and this to be a fynall issue of this case betweene the plaintiffe and defendants, the Court ordering the plaintiff to pay eight pounds mony for the Courts hearing of the case, which, w<sup>th</sup> the plantiffes costs aboue granted, being six pounds six shillings in all, came to fourteen pounds sixe shillings & eight pence mony.

Antho. Check-  
ly ensigne.

It is ordered, that M<sup>r</sup> Anthony Checkly officiate in the place of ensigne to the ffoot company vnder the conduct of John Richards, captaine, and till this Court take further order.

Ans<sup>r</sup> to Benj.  
Loules petiçon.

In ans<sup>r</sup> to the petition of Benjamin Lowle, the Court judgeth it meet to referr the petitioner to take his due course in law, (hauing or pretending to haue new evidence,) if he see cause.

Pardon grant-  
ed to Peeter  
Rodrjago, y<sup>t</sup>  
was found guil-  
ty, &c.

In ans<sup>r</sup> to the petiçon of Peter Rodriego, humbly desiring this Courts favour in his pardon, ouning his petition in open Court, the Court judged it meete to grant the petitioner a full & free pardon, according to his desire in his petiçon.

Mendon comit-  
tee.

In ans<sup>r</sup> to the minister, Joseph Emerson, w<sup>th</sup> the selectmen of Mendon, the Court judgeth it meete to order & impower M<sup>r</sup> Edward Tyng, M<sup>r</sup> Joseph Dudley, M<sup>r</sup> W<sup>m</sup> Parkes, & Captaine Foster, the former comittee, to be a standing comittee of that place, as is desired, till this Court take further order thereabouts.

[\*39.]

Haverill, July  
the 4th, 1674.

Hauerill  
bounds lajd  
out & con-  
firmed.

Billirica, 12  
2 mo, (75.)

\*Att the request of the selectmen of Hauerill, the bounds of the sajð toun were perfected as followeth: From Hoult's Rocks wee ran due north west, according to the compasse, not allowing any variations, allowing Amesbury their full and just bounds, as hath bin determined by the honoured Generall Court; all the other lines on the west side of the plantation wee ran from Merremacke Riuer due north, vntill it cut w<sup>th</sup> the first lje, where wee erected a great pillar of stones; this last lje was sett out & begun to run, by Ensigne Noyes & Sarjant Jn<sup>o</sup> Parker, at eight miles distance from Hauerill meeting house, vpon a due west lje, which is according to the grant of the Generall Court; the runing ljes on both sides of the plantation were well bounded by markt trees, & heapes of stones. Lajd out

By JONATHAN DANFORTH, Survejer.

The Court approoves of this returne.

As attests

EDW: RAWSON, Secre<sup>t</sup>y.

The Court, considering the great paines & charge, & good service of Mr John Payne in laying out & runing our south līne, judge meete to grant his request as to the eighteen hundred acres, so it be in one place, as also the fouer thousand acres, so it be lajd out together, and in one place, prouided & on condition he not only give his oath to his returne, but also procure the testimonjes of those that accompanied him therein.

1675.

12 May.

Jn<sup>e</sup> Paynes  
grant on con-  
dição.

In ans<sup>r</sup> to the petition of the selectmen of Billirrica, they are granted liberty to find out a parcell of wast land suiteable for their accomodation, & present the same to the next sessions of this Court, who will be ready to accomodate them so farr as may be donn w<sup>th</sup>out prejudice to former grants or to the publicke.

Ans<sup>r</sup> to Billir-  
rica petiçion.

Whereas the body of Edward Lewis being found dead, & vejwed by the coroners inquestt, who haue given in their virdict, finding him to be wounded in seuerall places, whereby he was murthered, it is by this Court declared, that it is the duty of all persons that are in any wise privy to any words, actions, or report that may tend directly or indirectly to finde out & discover the murtherers forthwith to reveale the same to lawfull authority, and that none may be vnder any temptation to conceale what they either know, or haue heard by report, least through former silence they should thereby ensnare themselues, this Court doeth, for their security and indempnity, further declare, that neither former concealement nor non discovery of the trueth, as aforesajd, shall be any occasion of trouble or damag to any person or persons whateuer that shall now give in their testimonjes, vnless it shall appeare that they haue been actors in that horrið murther, and doe heereby comānd & require all persons to attend their duty herein & truely declare what they know or haue heard that may tend to finde out the murtherers to the honoured Gouvernor, or some of the magistrates, before the 17<sup>th</sup> of June next, as they will answer the contrary at their perill.

Courts procla-  
mation to dis-  
cover the mur-  
ther of Lewis.

\*This Court is adjourned to the 13<sup>th</sup> Octobere next, at one of the clocke in y<sup>e</sup> afternoone. [\*40.]

HERE followeth the names of the deputjes sent to serve at the Generall Court of Election, to be held at Boston, the 12<sup>th</sup> of May, 1675, & should haue binn placd at the beginīg of that session, but was forgott, & therefore is here placd:—

Mr W<sup>m</sup> Broune, Mr Edmund Batter, Salem.

Capt Laurenc Hammond, Chařs.

1675.

12 May.

Cap<sup>t</sup> Hopestill Foster, Leif<sup>t</sup> Jn<sup>o</sup> Capen, Dorch.  
 M<sup>r</sup> Anthony Stoddard, Leif<sup>t</sup> Thō Clarke, Boston.  
 M<sup>r</sup> Joseph Dudley, M<sup>r</sup> W<sup>m</sup> Gary, Roxb.  
 Cap<sup>t</sup> Hugh Mason, Leif<sup>t</sup> Rich<sup>rd</sup> Bceres, Water  
 M<sup>r</sup> Edw<sup>d</sup> Jackson, M<sup>r</sup> Edw<sup>d</sup> Oakes, Cambridg.  
 Ens<sup>g</sup> Jn<sup>o</sup> Fuller, Lynn.  
 Leif<sup>t</sup> Samuel Apleton, M<sup>r</sup> Georg Gittings, Ipsuich.  
 Leif<sup>t</sup> Archelaus Woodman, Newbery.  
 M<sup>r</sup> Thomas Dyer, Wey:  
 Cap<sup>t</sup> Joshua Hubbard, Hin<sup>g</sup>.  
 M<sup>r</sup> Peter Bulkley, Concord.  
 Cap<sup>t</sup> Dan<sup>i</sup> Fisher, Dedham.  
 Cap<sup>t</sup> Elizur Holyoke, Spring<sup>g</sup>, 1 s.  
 M<sup>r</sup> Samuel Dalton, Hampton, 1 s.  
 M<sup>r</sup> Maxim<sup>i</sup> Jewett, 1 s, M<sup>r</sup> Rich<sup>d</sup> Swann, 1 s, Rouley.  
 Leif<sup>t</sup> Edm<sup>d</sup> Quinsey, Brantry, 1 s.  
 Maj<sup>r</sup> Rich<sup>d</sup> Walderne, Douer.  
 M<sup>r</sup> Humphry Davy, Wooborne.  
 Cap<sup>t</sup> Rich<sup>d</sup> Cutts, Portsmouth, 1 s.  
 Cap<sup>t</sup> John Wayte, Maulden.  
 Cap<sup>t</sup> Thō Lothrop, Beverly.  
 Cap<sup>t</sup> John Wincoll, Kettery, 1 s.  
 Leif<sup>t</sup> Henry Addams, Meadfeild.  
 M<sup>r</sup> Edw<sup>d</sup> Richworth, Yorke.  
 M<sup>r</sup> John Richards, Hadley.  
 M<sup>r</sup> Peter Tilton,  
 Leif<sup>t</sup> W<sup>m</sup> Clarke, North Ham<sup>p</sup>, 1 s.  
 Leif<sup>t</sup> Georg Broune, Hauerill, 1 s.

Major Richard Waldern was chosen Speaker for May sessions, 1675.

*\*Att a Generall Court, called by the Goūno<sup>r</sup> & Council, & held at 1675.  
Boston, the 9<sup>th</sup> of July, 1675.*

9 July.

[\*41.]

PRESENT at y<sup>e</sup> Court, —

Jn <sup>o</sup> Leueret, Esq <sup>r</sup> , Goū,	
Sa <sup>m</sup> i Symons, Esq <sup>r</sup> , Dep <sup>t</sup> Gō.	
Symon Bradstreet,	} Esq <sup>r</sup> s.
Daniel Gookin,	
Daniel Denisson,	
Rich <sup>d</sup> Russell,	
Thō Danforth,	
W <sup>m</sup> Hathorne,	
Edw <sup>d</sup> Tyng,	
W <sup>m</sup> Stoughton,	
Thō Clarke,	
Assistants, &	

The names of the deputjes to serve at y<sup>e</sup> Court were, —

Mr Edmund Batter, Mr W<sup>m</sup> Broune, Salem.  
 Cap<sup>t</sup> Laur Hamond, Ch T.  
 Cap<sup>t</sup> Hops<sup>i</sup> Foster, Lef<sup>t</sup> Jn<sup>o</sup> Capen, Dorch.  
 Mr Anthō Stoddard, Lef<sup>t</sup> Thō Clarke, Boston.  
 Mr Joseph Dudley, Mr W<sup>m</sup> Gary, Roxbū.  
 Cap<sup>t</sup> Hugh Mason, L<sup>t</sup> Rich<sup>d</sup> Beeres, Water<sup>t</sup>.  
 Mr Edw<sup>h</sup> Jackson, Mr Edw<sup>d</sup> Oakes, Cam<sup>b</sup>.  
 Ens<sup>i</sup> Jn<sup>o</sup> Fuller, Lyn.  
 Lef<sup>t</sup> Sa<sup>m</sup>i Apleton, Mr Georg Gettings, Ip<sup>s</sup>.  
 Lef<sup>t</sup> Archē Woodman, Ne<sup>w</sup>.  
 Mr Thō Dyer, Wey.  
 Cap<sup>t</sup> Josh Hubbard, Hin<sup>g</sup>.  
 Mr Peter Bulkley, Concord.  
 Cap<sup>t</sup> Dan<sup>i</sup> Fisher, Ded<sup>h</sup>.  
 Cap<sup>t</sup> Elizur Holyoke, Spring<sup>g</sup>.

IN pursuance of an order of the Generall Court, held May the 12<sup>th</sup>, 1675, relating to the future setting of the mint, it is agreed by vs, the subscribers, as a com<sup>i</sup>tee appointed therevnto, as followeth; i. e., —

That the former masters of the mint, viz<sup>t</sup>, Robert Saunderson & John



1675.

9 July.

Hull, doe continue to mint what siluer bulljon shall come in for this seven yeares next to come, if either of them liue so long, and doe receive of those that bring bulljon to the mint, as a full reward for their paynes, twelve pence for euery twenty shillings, & three pence for the wast of euery three ounces of sterling siluer that they shall so mint, viz<sup>t</sup>, fiueteen pence in the whole for euery twenty shillings; and the sajd minters are to pay in to the Treasurer of the country, in mony, twenty pounds p anñ during abouesajd terme. That this is our agreement, wittnes our hands heerevnto put, the 3<sup>d</sup> of June, 1675.

JOHN LEUERET,  
 SYMON BRADSTREETE,  
 EDWARD TYNG,  
 ROBERT SANDERSON,  
 JOHN HULL.

The Court approoves of this returne, and the settlement of the mint accordingly. As attests

EDWARD RAWSON, Secre<sup>ty</sup>.

For the defraying the charge of what hath binn expended in the present expedition against the Indians, and for a future supply as to that affayre, it is ordered, that there be a single country rate levyed vpon the inhabitants of this jurisdiction, and to that end that the Treasurer forthwith issue out his warrants to the seuerall tounes, and imēdiately vpon the receite thereof the selectmen, w<sup>th</sup> such cōmissioners as shall be chosen, to take a list of the names of all heads rateable, and to make a just valluation of all estates, as in times past, and in all respects to act as in the lawe is provided for publicke charges, saue only as to the tyme therein prefixed, and that the Treasurer appointe time and place of meeting in the seuerall countjes. And it is further ordered, that the aforesajd single country rate be all payd in money, & the constables of the seuerall tounes be speedily ordered to collect & gather the same, and to make returne thereof to the aforesajd country Treasurer by the last of August, that so it may be improved for the ends aboue exprest.

It is ordered, that the cōmittee for this expedition be impowred by the constable heere or elsewhere to impresse fower thousand of bread, and that sixe barrells of powder deliuered to their order by the surveyor, and that proportionable bullet & shott be provided by them, and all conveyed to the cōmissarjes, for the vse of our army at their quarters, by the sloop that is going.

It is ordered, that that part of the lawe, page 78, title Indians, impour-

ing the Tresurer to license persons to sell any Indian or Indians, not in hostility w<sup>th</sup> us, powder, shott, lead, guns, hand gunnes, rapier blades, swords, &c, on condition therein exprest, is heereby repealed.

1675.

9 July.

\*Whereas the troopers & theire trooping horses are wont to be exempted in ordinary country rates, it is heereby declared, that they are not to be freed in the rates granted by this Court for the defraying the charge of the present expedition against the Indians.

[\*42.]

Troopers not  
disch'dged  
from rates to  
y<sup>e</sup> warr.

It is ordered, that Sarjant Josiah Heynes, of Sudbury, shall be leif<sup>t</sup> to Captaine Edmund Goodenough.

Josiah Heynes  
left.

It is ordered, that the comittee for this expedition is forthw<sup>th</sup> to make prouission for the conveyance of such amūtion as our neighbours of Plymouth haue writt for, keeping the account of the chardge thereof.

It is ordered, that the matter refferring to M<sup>r</sup> Graues sitting in Court, & not accepted by the House of Deputjes, shall be heard and determined at October sessions, the first day of the Generall Court.

This Court doeth declare, that the Castle souldjers who haue binn freed from watchings & wardings in the townes where they dwell in ordinary cases, are not exempted therefrom in cases extraordinary, that are not of the like nature.

Castle souldiers  
not exempt<sup>d</sup>  
from extraor-  
dinar. watch-  
ings.

In ans<sup>r</sup> to the petiçōns of John Roads, Peter Grant, Rich<sup>d</sup> Foulers, and Randall Judson, the fower condemned malefacto<sup>r</sup>s, the Court doeth order the respitting of the consideration of the sajd petiçōns vntill the sessions of the Generall Court in October.

Ans<sup>r</sup> to Jn<sup>e</sup>  
Roads, Peter  
Grant, &c.

For the defraying the charge of what hath been expended in the present expedition against the Indians, and for a future supply of the treasury, it is ordered, that there shall be three single country rates levyed this yeare, and that the Tresurer doe accordingly issue out his warrants to the seuerall townes, the sajd rates to be payd, the one w<sup>th</sup>in one moneth, the second in the 8<sup>m</sup>, and the last at the vsuall time & manner, and all the sajd rates to be brought in to the Tresurer, w<sup>th</sup>out any allowance for carriage, but that to be borne by the seuerall townes, and such as will pay in money, shall be abated one fowerth part.

Three country  
rates.

This Court is dissolved.

1675. *\*At the second Sessions of the Generall Court, held at Boston,  
the 13<sup>th</sup> of Octob<sup>r</sup>, 1675.*

13 October.

[\*43.]

PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Go<sup>v</sup>,  
Saff Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>.  
Daniel Gookin,  
Daniel Dennison,  
Symon Willard, 19 : 8 : 75.  
Rich<sup>d</sup> Russell,  
Thō Danforth,  
W<sup>m</sup> Hathorne,  
Edw<sup>d</sup> Tyng,  
W<sup>m</sup> Stoughton,  
Thomas Clarke.

The names of the deputjes y<sup>t</sup> sat at this Court were, —

WHEREAS, notw<sup>th</sup>standing the councils former prohibition of all Indians coming to, or remayning in, the toune of Boston, wee finde that still there remajnes ground of feare that, vnless more effectuall care be taken, wee may be exposed to mischiefe by some of that barbarous crew, or any strangers, not of our nation, by the coming into or residing in the toune of Boston, this Court doeth therefore order, —

First. That, from the publication hereof, no person or persons whateuer, in the sajd toune, shall, vpon any pretence whatsoever, entertajne, oune, or countenance any Indian, vnder the pœnalty of being a betrayer of this government.

Secondly. That there be a guard appointed at the end of the sajd toune, towards Roxbury, to hinder the coming in of any Indian vntill application be first made to the Gouverno<sup>r</sup>, or council, if sitting, and then to be admitted with a guard of two musketeers, and to be remanded backe w<sup>th</sup> the *the* same guard, nor to be suffered to lodge in toune, unless in prison; provided that, if any Indian or Indians that shall be employed vpon any message or business shall come vp to the sajd guard, they shall forthuith be conveyed to the Gouverno<sup>r</sup> or council, & be by him or them disposed of & secured during their necessary stay for the dispatch of their business, and that <sup>^</sup> to be conveyed as aboue sajd.

Thirdly. That it shall be lawfull for any person, finding any Indian in toune without sajd guard, to apphend and secure him.

Fouerthly. That care be taken by the military watch to prevent any from coming by water to the sajd toune, either from Dorchester or Roxbury Necke, in cannooes or otherwise, and that there be speciall care taken of places where ammunion is, &c. 1675.  
13 October.

Fifthly. That order be given to Charls Toune fferry not to land any Indian at the sajd toune w<sup>th</sup>out order from the Gouvernor, & then to be guarded with two musqueteers.

Sixthly. That it shall be lawfull for any person, vpon any Indians approaching the sajd toune, either by water or land, without a guard as aboue sajd, to apprehend & secure him.

Seventhly. That account be taken of all straingers who are not his majestjes subjects, and that they remajne not in toune vnless security be given for their fidelity, and that none be admitted but vpon the like security, and that no master of any vessell bring in any w<sup>th</sup>out acquainting the Gouvernor therewith, & presenting their persons in order to their examination, who, if vpon their examination can give no good account of their business, and security for their good behaviour, shall be sent to prison vnless they doe forth with depart.

\*Eighthly. That it shall not be lauffull for any inhabitant, from the declaration hereof, to entertheyne any stranger in his house, or for tyme to come, till this order be reuersed, w<sup>th</sup>out leaue granted by authority, vpon the pœnalty of any fine authority shall see meet to impose; and the cõmissioners, & the selectmen, and captaines of Boston are ordered & required respectively to haue a speciall care, that this order in the seuerall parts thereof be duely observed and attended. [\*44.]

Whereas it is found by experience that troopers & pikemen are of little vse in the present warr w<sup>th</sup> the Indians, now, for the improouement of them to more or better advantage, — Courts proclamation to phibit Indians com- into Boston.

It is ordered by this Court and the authority thereof, that all troopers shall forthwith furnish themselues w<sup>th</sup> carbines and amunion proportionable, and also be lable to be impressed by the cõmittee of militia in the toune where they liue, to serve as foot soldjers during the sajd warr; prouided always, that one fourth part of the troopers in each toune be reserved for the vse of the country as such; and all pikemen are hereby required forth with to furnish themselues w<sup>th</sup> fire armes, and such a quantity of amunion, from time to tyme, as the law requires musketeeres to be furnished w<sup>th</sup>, any law, usage, or custome to the contrary notwithstanding. Troopers to furnish themselues w<sup>th</sup> carbines.  
3 p<sup>s</sup> of troopers lable to presse in y<sup>e</sup> townes y<sup>ty</sup> liue.  
Pikemen to furnish y<sup>e</sup>msel<sup>s</sup> w<sup>th</sup> fire armes.

Whereas the great necessity of a speedy supply of fire armes, musketts, and carbines is too apparent in this time of warr w<sup>th</sup> the Indians, —



1675.

13 October.  
A thousand fire  
armes to be  
sent for.  
Way of pay-  
ment for them.

It is ordered by this Court, that a thousand fire armes be accordingly procured w<sup>th</sup> all convenient expedition for the vse of the country, payment whereof to be made out of the publick treasury to such merchants as are agreed with for their procuring thereof by the co<sup>m</sup>ittee appointed by this Court for that end, and that the said armes shall be proportionably distributed to the seuerall townes of the colony; and the selectmen of the respective townes are hereby enabled to raise moneys to make payment to the Treasurer for their seuerall proportions.

Co<sup>m</sup>ittees of  
militias power  
to garrison  
townes to pre-  
vent invasion.

[\*45.]

It is ordered by this Court, that the co<sup>m</sup>ittees of militias in the seuerall townes throughout this jurisdiction, they or the major part of them, the cheife military officer of the towne being present, shall settle and dispose the seuerall inhabitants of their \*respective townes into such a posture as seuerall exigents appearing call for, & that into one or more garrisons, all persons in the seuerall townes, vpon penalty of five shillings per day, being heereby obliged to labour in and provide such fortification or fortifications as they shall agree vpon; and all inhabitants to attend their places in such fortification or garrison as they are appointed vnto, and in case of alarum or invasion, to appeare at and for the defence of such places as by the co<sup>m</sup>ittee they are appointed vnto, and no inhabitant or souldjer to leaue his station vpon any imploy whatsoever but according to order from the cheife officer.

2. And that the seuerall smale frontier townes which are judged not able of themselves to bear the distress of the warr shall haue their weomen and children (except so many as are necessary to abide) remooved vnto the next inland townes, and be there improved for the best advantage and least charge, vntill further order be taken, and souldjers added to the said towne for garrison, as shall be judged necessary by this Court or council of the co<sup>m</sup>onwealth, the said seuerall townes providing them w<sup>th</sup> victuals during their aboad.

3. That the said seuerall co<sup>m</sup>ittees are hereby ordered particularly to inspect the seuerall stocks of amunition and armes in their seuerall townes, and the same to alter, augment, and dispose as they judge meete; and the co<sup>m</sup>ittees of militia in the seuerall townes are hereby authorized to assess vpon all such persons of estate w<sup>th</sup>in their townes (as are, by the County Courts or co<sup>m</sup>ittees of militia, exempted from ordinary traynings) so many fire armes, muskets, or carbjnes, w<sup>th</sup> a proportionable stocke of powder & amunition, as the said co<sup>m</sup>ittees respectively shall appoint, to be always kept in their hands to be in a readines for the service, vnder the like penalties as the law provides for the furniture of euery privat souldjer; and such armes, from time to time, are to be surveyed and vejwed by the clarks of the trayned bands in the seuerall

tounes, who shall, vpon any defect, levy the same fines that the lawe prouides for particular company<sup>s</sup>; and all such persons as shall be assessed, and shall accordingly prouide three fire armes, shall be freed from being sent abroad to the warrs, except in extreame & utmost necessity.

1675.

13 October.

Whereas troopers are exempted from paying head money and rates for their horses, —

This Court judgeth it meet to restreine that priuiledge during this present warr, and doe order, that troopers pay in that case as others doe, (provided troopers haue their priuiledge for one rate in the yeare,) and likewise the Castle souldjers pay their head mony as other men, any law, vsage, or custome to the contrary notwithstanding.

Troopers priuiledge restrained for one rate annually.

\*Lawes and ordinances of warr, passed by the Generall Court of the Massachusetts for the better regulating their forces, and keeping their souldjers to their duty, & to prevent prophaneess, that iniquity may be kept out of the campe.

[\*46.]

Military lawes.

1. Let no man presume to blaspheme the holy & blessed Trinity, God the Father, God the Son, and God the Holy Ghost, vpon payne to haue his tongue bored w<sup>th</sup> a hott iron.

2. Vnlawfull oathes, & execrations, & scandalous acts, in derogation of Gods honour, shall be punished w<sup>th</sup> losse of pay and other punishment, at discretion.

3. All those who often & wilfully absent themselves from the publick worship of God & prayer shall be proceeded against at discretion.

4. Whosoever shall be conuicted to doe his duty negligently and carelessly shall be punished at discretion.

5. No man shall presume to quarrell w<sup>th</sup> his superiour officers, vpon payne of casheiring & arbitrary punishment; nor to strike any such, vpon payne of death.

6. No comānder or souldier shall depart from his charge or captaine w<sup>th</sup>out license, vpon payne of death.

7. Euery private souldier, vpon payne of imprisonment, shall keepe silence when the army is to take lodging, or when it is marching or in battaliō, so as the officers may be heard and their comānds executed.

8. No man shall resist, draw, lift, or offer to draw or lift, his weapon against his officer, correcting him orderly, for his deffence, vpon payne of death.

1675.

13 October.

9. No man shall resist the provost marshall or any other officer in the executing of his office, vpon paine of death.

10. No man shall vtter any words of sedition or mutiny, vpon paine of death.

11. They that shall heare mutinous speeches, and not acquaint their comānder w<sup>th</sup> them, shall be punished w<sup>th</sup> some greivous punishment.

12. Drunkenes in an officer shall be punished w<sup>th</sup> losse of place, and in a private souldier w<sup>th</sup> such punishment as a Court Martiall shall thinke fit.

[\*47.]

\*13. Rapes, rauishments, unnaturall abuses, & adultery shall be punished with death.

14. Fornication & other dissolute laciviousness shall be punished w<sup>th</sup> discretion, according to the quality of the offence.

15. Theft, robbery, shall be punished w<sup>th</sup> restitution, & otherwise w<sup>th</sup> discretion.

16. Murder shall be expiated w<sup>th</sup> the death of the murderer.

17. All souldjers coming to their cōlours to watch, or to be exercised, or to service, shall come compleately armed, and them fix<sup>t</sup>, vpon paine of punishment.

18. If any shall negligently loose or sinfully play away their armes at dice or cards, or other wayes, they shall be kept as pyones or scavengers till they furnish themselves with as good armes.

19. None shall presume to spoyle, sell, or carry away any amunition comitted vnto him, vpon payne of death.

20. No souldier shall outstay his passe w<sup>th</sup>out a certifficat of the occasion vnder the hand of a magistrate, vpon payne of loosing his pay.

By greivous punishment is meant disgraceing, by casheiring, the strap-padoe, or riding the wooden horse to fetch blood.

Arbitrary punishment, or punishment at discretion, is meant not to extend to hazard life or limbe.

Order to regulate guards & garrison souldjers.

For the better regulating those souldiers that are appointed to guard or garrison any particular town or place, it is ordered by this Court they shall be vnder the comānd and dispose of the cheife military officer on the place for their improovement, whither as scouts, warding, watching, fortifying of garison places, or remooveing and taking away that which may endanger the peace & safety of the people in the place, excepting only where the major of the regiment to which they belong, the council, or Generall Court shall otherwise appoint and order.

Whereas diuerse persons haue binn impressed for the service of the

country, who, wanting armes, haue \*bin suppljed & furnished w<sup>th</sup> the armes & affinition of other inhabitants, by order of the comittees of militias of the seuerall townes, to the end that the sajd armes may be duely returned to the right ouners, and the country might not be vnduly chardged.

1675.

13 October.

[\*48.]

It is hereby ordered, that the comissioners for the warr shall not passe any debenter vpon the single cirtificate of his captaine for the tyme of the service of any such souldier that hath not been slajne in the warr, w<sup>thout</sup> a cirtificate from the comittee of the militia of that toune whence such souldier was pressed, that either he went out w<sup>th</sup> his oune armes, or hath returned to the right ouner the armes which he was furnished w<sup>th</sup>.

Order to secure  
the countrys  
armes.

The Court, vnderstanding that the tyme is expired wherein the rate vpon goods imported, &c; was farmed, doe order, that M<sup>r</sup> Symon Bradstreet, M<sup>r</sup> Richard Russell, M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Joshua Hubbard, & Cap<sup>t</sup> John Richards be a comittee, and heereby is appointed to treat w<sup>th</sup> such persons as shall present about agreeing for the same, who shall make report at the next meeting of the Court what shall be offered or proposed therein.

Comittee abt y<sup>e</sup>  
customes.

A mill for making of poudre being erected at Vnkety or Dorchester mill, by particullar persons, and is ready now to worke w<sup>th</sup> all materials, and there being danger, in this time of warr, of destruction by fire or otherwise to the sajd mill, w<sup>ch</sup> may be prejudiciall to the publick as well as to p<sup>ar</sup>ticular persons, all which this Court considering, doe order, that care be taken for a constant watch there, for preservation of the sajd mill and the greist mill adjoyning therevnto, being of so great concernment to both the townes of Dorchester & Milton, and that two watchmen be a<sup>p</sup>ointed there, one from Dorchester and the other from Milton, for that end.

An order for  
two watchmen  
to guard y<sup>e</sup>  
poudre mill at  
Milton.

Whereas the keeping of Charls Toune ferry is a worke of publicke concerne, this Court doeth grant vnto Francis Hudson & John Burridg, Se<sup>n</sup>, ferry-men, that their fower servants employed to manage two boates be freed from being impressed in the country service, i. e., Rich<sup>d</sup> Burton, Robert Trauis, Jn<sup>r</sup> Buridg, Jun<sup>r</sup>, & John Stride, provided all posts & messengers employed in publick service passe freely & speedily.

Charls Toune  
ferry-men ex-  
empted from  
y<sup>e</sup> presse.

It is ordered, that Major Clarke forthwith strengthen Mendon garrison, by adding ten more vnto them, and that forthwith.

Major Clarke  
to strengthen  
Mendon by  
addi<sup>ng</sup> 10 more.

\*And it is further ordered, that all such persons as haue already quitted their habitations, & doe not forthwith retourne, or shall heereafter leaue their habitations, licence not being first obteyn'd from the Generall Court or council, they shall forfeite theire interest in that place for the defraying the charge of the garrison souldjrs.

[\*49.]

Order prohib-  
bitting prouis-  
sions transpor-  
tation.



1675.

13 October.

The Court, considering the great danger of a famine, or at least a scarcity of bread & other provisions, by reason of this warr, if the Lord graciously prevent not, doe hereby strictly prohibitt the exportation of all sorts of provisions (except fish & mackerell) out of this jurisdiction, vpon any pretence whatsoever, victualling of ships or vessells excepted; & Cap<sup>t</sup> James Olliver & Left Thomas Brattle are appointed by this Court the officers to make search for & seizure of all such provisions as shall be loaden, contrary to this order, for exportation, to be forfeited, one fourth part to the persons seizing, the remainder to the use of the country, provided the council may give liberty to any person as they see cause, this order to stand in force till the Generall Court or councill shall see cause to revoake it.

Order enabling  
committees of  
militia to pass  
acco's & value  
horses, &c.

It is ordered, that the committee of militia in the severall townes shall heare, determine, & settle the whole accounts of the severall townes respecting all disbursments of armes, ammunition, horses, furniture, provisions, &c, not exceeding three pounds for a horse, & as neare as may be proportioning the accounts of all disbursments, whose bills to the Treasurer or committee of that affaire shall be payd when the assessments are come in, raised vpon that account.

This done al-  
ready.  
Committee ab-  
cunstones.

The Court, vnderstanding that the tyme is expired wherein the *the* rate vpon goods imported & was farmed, doe order, that M<sup>r</sup> Bradstreet & M<sup>r</sup> Russell, M<sup>r</sup> Stoddard, Cap<sup>t</sup> Hubbard, & Cap<sup>t</sup> Richards be & hereby are appointed a committee to treat w<sup>th</sup> such persons as shall present about agreeing for the same, who shall make report at the next meeting of the Court what shall be offred or proposed therein.

Officers to the  
troope of horse  
in Suffolke.

Cap<sup>t</sup> Willjam DAVIS is appointed to be captaine, & Cornet Thomas Brattle to be leiftennant, Corporall Jacob Elliot for cornet, are appointed to be the comission officers of the troope in Suffolke.

Boston, October 23, 1675.

[\*50.] \*Cap<sup>t</sup> Appleton: —

Courts letter  
to Cap<sup>t</sup> Apple-  
ton.

Wee received yours of the 17<sup>th</sup> instant, whereby wee vnderstand the recalling of Major Treat, w<sup>th</sup> the greatest p<sup>te</sup> of Connecticut men, & the disobedience of those that were left behind, w<sup>ch</sup> yow should haue made some of them to vnderstand, by all wee perceive, the order concluded by the comissioners is like to be frustrated, though wee haue to the vtmost attended it on our parts to our great costs, exposing, hazard, & losse of men. Wee, therefore, (supposing you well know the order of the comissioners, to keepe out five hundred men in those parts, till recalled by their order, or the agreement of

the commanders,) doe, for diuers considerations, advize & order yow that, consulting with your officers, yow provide for the garrisoning and securing those townes, and that you prepare the rest to be ready to returne when yow shall receive an order from the Generall Court, or council heere, which yow may shortly expect, vnlesse wee see better reason then yet wee vnderstand. The continuance of such a number as are there so ill provided against the cold, to no more advantage then yet wee see grounds to hope for, wee looke at as an vnsupportable charge to us, and intollerable burthen to those townes that will want their provissions before the spring. Besides, other parts call for our assistants. This wee thought good to lett yow vnderstand, to be some guide to your counsils & conclusions, which wee comend to the guidance of the only wise God, to whose grace & ptection wee comitt yow & those w<sup>th</sup> yow, and are,

Yo<sup>r</sup> loving freinds,

EDW RAWSON, Secre<sup>ty</sup>.

By order of y<sup>e</sup> Ge<sup>n</sup>l Court.

It is ordered, that the major of the regiment of Suffolke for<sup>th</sup> put his whole regiment into a posture of warr, and be immediately together in compleate armes, vnder their seuerall captaines, ready to march, and also to order the commanders of the troop for Suffolke to gather the troopers together in their compleate armes, and be ready to march on a moments warning, to prevent such danger as may seem to threaten us; the like order for Middlesex; & that Capt Gookin, in the absence of the major, act accordingly there.

\*For the better security of the county of Doyer & Portsmouth, and of Yorkshire & the parts adjacent, it is ordered, that there shall be forth with forty able men rayased, & sent to Major Walderne, to be by him disposed of for the end aforesajd, and not to be called of w<sup>th</sup>out the sajd major's consent, or else by order of the Ge<sup>n</sup>l Court or council.

It is further ordered, that the eightene souldiers already sent out of Norfolke, and at present vnder the comand of M<sup>r</sup> George Broughton, shall be part of this number, and the other twenty two shall be rayased by the major gene<sup>ll</sup> out of the county of Essex.

It is hereby ordered, that the Puncapouge Indians shall haue liberty to remoove their stuffe and prouissions to the place assigned them by this Court, neare Braintry & Milton, and they may not be interrupted in their passage betweene the sajd places, but be assisted in the conveyance of their goods by the English.

In ans<sup>r</sup> to the petition of Stephen Haskett, the Court judgeth it meete

1675.

13 October.

Order for Suffolk & Middlesex to be in armes, &c.

[\*51.]

Order to secure county of Doyer & Portsmouth, &c.

Souldiers vnder M<sup>r</sup> George Broughtons comand.

Puncapouge Indians liberty to remoove, &c.

Ans<sup>r</sup> to Stephen Haskett's petition.

1675. to dismisſe the petiçõner from the ſervice, and order the millitary officers in Salem to impreſſe another in his roome.

13 October.  
Cap<sup>t</sup> Wheeler  
to haue ten  
pounds as p<sup>t</sup> of  
his pay.

In ans<sup>r</sup> to the petiçõn of Thomas Wheeler, cap<sup>t</sup>, humbly deſiring this Courts fauour to order him ſome part of his pay, for the releife of his preſent neceſſitjes, the Court judgeth it meet to grant the petiçõner ten pounds for his preſent ſupply by the country Treſurer.

Tenn pounds  
allowed to Leff  
Hinchman.

Whereas Leff Thomas Hinchman hath been at great charge in providing ffor the diet of certeine ſouldjers appointed to garrison his houſe vpon Merremacke Riuer, where ſundry Engliſhmen, his neighbours, are concerned, which is a very apt place to ſecure that frontier, and beſides, the ſajd Hinchman hauing, vpon all occaſions, binn very ſerviceable, and hath expended much time and charge to put in execution ſundry orders and directions ſent to him from the council, this Court doe order, that the ſouldiers of that garrison be mainteyned both for diet at the toun of Chelmsfords charge for the tyme to come, and vntill the Court or council take further order; and further more, that tenn pounds be allowed him for his \*extraordinary expences and labour out of the country treſury.

[\*52.]

Rich<sup>d</sup> Foulers  
pardon.

In ans<sup>r</sup> to the petiçõn of Richard Foulers, condemned by law, humbly imploring the fauor & mercy of this Court, the Court judgeth it meete to grant the petiçõner his life, according to his deſire, &c.

Order to imp<sup>reſſ</sup>  
a gunn ſmith  
for Concord.

Whereas in Concord & the townes adjacent there is a neceſſity of a gunnſmith to be reſident there, for the fixing vp of armes, from tyme to tyme, during this warr, it is heereby ordered, that Cap<sup>t</sup> Timothy Wheeler be heereby impowred to impreſſe an able gunnſmith, who is to repaire to Concord, who ſhall carefully and diligently attend that ſervice.

Courts letter  
to major gen-  
nerall.

S<sup>r</sup>: —

Wee received your letter, dated at Lynn, 23<sup>th</sup> inſtant, and haue perused the particuls incloſed, w<sup>ch</sup> ſtill preſent us w<sup>th</sup> ſad tjdings (the Lord haue mercy on us) touching the performance of yo<sup>r</sup> promiſe to Major Pike in your deſigne to rajſe what force you can to reſiſt the ennemys head quarters at Aulebee. Wee approove of it; only wee preſume your intelligence that the enemy is there is vpon good grounds. Wee cannot give yow particular orders, but leaue the mannagement of this affayre to yo<sup>r</sup> prudenc & aſſiſtance of Almighty God, not doubting yo<sup>r</sup> care in leaving ſufficient ſtrength to ſecure the frontjer townes of Norfolke & Eſſex, leaſt the enemy ſhould viſit them when the ffoces are aboord. W<sup>th</sup>out doubt, if their ſquawes & papooſes, &c, be at Aſſabee, & God be pleaſed to deliver them into our hands, it would

be much for our interest. As for your personall marching, it will be acceptable, if God inable to psecute it. So comitting yow to God, remajne,  
Yor lo: freinds,

1675.

13 October.

EDW<sup>d</sup> RAWSON, Secrety.By ord<sup>r</sup> of y<sup>e</sup> Court.

Whereas the Punckepauge Indians haue prepared & neere ffinished a good & deffencible fort, & the scittuation of that place being accomodā for the scouring & securing of the southern passages & inlets vpon our plantations, it is ordered & enacted, that, for the better improovement of the Indians & fort aforesajd, the major of Suffolke shall forthwith appoint out of the touns of Dorchester, Milton, & Braintry sixteen or twenty souldjers, well armed, to reside at Punckepauge, vnder the comānd of a meete person, w<sup>ch</sup> souldjers, together w<sup>th</sup> the Indians of that place, vse all diligence by scouting and ranning in the woods betweene Weymouth & Naticke, to prevent or give intelligence of the approach of the enemy or any strange Indians, and to attend all such instructions & orders as they shall, from time to time, receave from this Court or the council in the pursuance of the ends aforesajd.

\*This Court, hauing taken into their consideration the great & dayly grouing charge of the present warr against the Indians, & the absolute necessity that there is of a further supply & recruite of aīmes & amūition for the seruice of the country, and hauing also p̄ticularly considered the present state & abilitje of the seuerall tounes & plantaçons in this jurisdiction, doe hereby order & enact, that, for the defraying of the charges aboue sajd, there shall be levyed seuen single country rates, and that the single rate of each toune shall be as is herevnder written, three of the sajd rates to be payd at or before the last of Nouember next, & the other fower rates at or before the last of March next; the prizes of all sorts of corne payd in the sajd rates to be as followeth: i. e., wheat at six shillings, rye at fower shilling six penc, barley and pease at fower shillings, Indian at three shillings six penc, oates at two shillings p bushell, and that the sajd leuy be deliuered to the Tresurer w<sup>th</sup>out charge to the country, and such as make payment in mony to be abated one fouerth part.

Major Suffolke ordered to furnish Punckepaug Indians w<sup>th</sup> 20 men to preserv their fort & to range y<sup>e</sup> woods.

[\*53.]

Order for 7 country rates. Price of corne to be p<sup>d</sup> in; if in mony  $\frac{1}{4}$  abated.

## The sefll tounes proportions.

Suff. . . . .	613	6	11
Esse. . . . .	474	10	11
Mds. . . . .	465	8	6
	<hr/>		
	1553	5	4



1675.	Boston,	300 <sup>li</sup> 00 <sup>s</sup> 00	Salem,	100 00 00	Charlستونه,	180 00 00
13 October.	Dorchester,	040 00 00	Lynne,	034 00 00	Water Towne,	045 00 00
	Roxbury,	30 00 00	Ipswich,	070 00 00	Cambridge,	042 02 00
	Weymouth,	025 9 4	Neubery,	060 00 00	Concord,	033 19 10
	Hingham,	030 00 00	Rouley,	036 00 00	Sudbury,	020 00 00
	Dedham,	028 2 7	Andiver,	020 00 00	Lancaster,	011 16 00
	Braintry,	025 00 00	Marblehead,	018 00 00	Woborne,	025 18 1
	Hull,	010 00 00	Glocester,	009 09 00	Marlborow,	017 13 00
	Meadfeild,	027 11 3	Wenham,	005 00 00	Chelmsford,	014 18 00
	Milton,	015 00 00	Topsfeild,	012 00 00	Maulden,	015 10 5
	Haverill,	018 00 00	Bradford,	008 13 00	Billirica,	014 07 00
	Hampton,	028 00 00	Manchester,	002 00 00	Meadford,	005 00 00
	Salisbury,	022 00 00	Beverly,	016 00 00	Groaten,	011 10 00
	Exeter,	008 08 00	Springfeild,	026 05 05	Fremingham,	001 00 00
	Amesbury,	005 15 09	Northampton,	022 02 10	Westfeild,	011 16 00
		613 06 11	Hadley,	018 10 9	Hattfeild,	008 12 00
			Redding,	016 09 11	Mendham,	006 06 2
				474 10 11		465 8 6

Tresurer to issue out warrants accordingly.

And the Treasurer of the country is hereby required accordingly to issue forth warrants to the constables of the severall townes, who, together w<sup>th</sup> the selectmen of the place, are required to levy the said rates vpon the inhabitants, that they may be duly paid, as is above said.

J<sup>n</sup> Danforth left, James Kidder ensign, to Billirica foot compa.

It is ordered, that Jonathan Danforth, of Billirica, be leftenit to the ffoote company there, & James Kydder be ensigne to the said company.

[\*54.]

Courts order as to hearing of Mr Bellingham case.

\*The case depending between the ouerseers of the late honored Gou<sup>o</sup>r Bellinghams will & Mr Richard Wharton, the Court judgeth it meete the hearing thereof be waved this sessions, & referred to the next Court of Election, (the publicke affayres of the country being at present more necessary to be attended,) and the same to be heard the 3<sup>d</sup> day of the second weeke of the said sessions, & the partjes convened to haue legall warning for their appearance accordingly.

Committee to examine 3 Naticke Indians & give an accot.

Vpon information given to this Court of three Indians of Naticke that are seperated from the rest of the Indians there, and now resyding w<sup>th</sup> Henry Lealands, of Sherburne, w<sup>th</sup>drawing themselues as suspecting those Indians to haue some designe against the English, the Court doeth order & heereby appoint Mr Willjam Avery, Ensigne Thomas Fuller, & Serjant Ellis, forthwith to convent the said three Indians before them, & strictly to examine them as to

what they know in y<sup>t</sup> matter, and make speedy returne to this Court or coun-  
cil of what they finde therein.

1675.

It is ordered, that all the Naticke Indians be forthwith sent for, & dis-  
posed of to Deare Island, as the place appointed for their present abode.

13 October.

Naticke Indi-  
ans order to  
Deare Island.

It is ordered, that there be two men appointed by the major gen<sup>l</sup>, or, in  
his absence, by the cheife comāder in the toune of Ipswich during this  
dangerous warr, to be a guard to the Deputy Gou<sup>r</sup>no's house, that is so remoate  
from neighbours, & he so much necessitated to be on the countrys service.

2 men appoint-  
ed to be a  
guard to y<sup>e</sup>  
Dep<sup>t</sup> Gou<sup>r</sup>no's  
house.

This Court, be<sup>g</sup>ing informed of the care & paynes of the Refuend Mr  
Vrjan Oakes, præsident of Harvard Colledge, in carrying on that worke at the  
former motion & request of this Court, doe order thankes be returned to the  
sajd præsident in that respect, and that he be desired by this Court to continue  
his labours as præsident of the sajd colledge, which hath binn, by the blessing  
of God, of so great advantage, Major Ge<sup>ll</sup> Denison, Cap<sup>t</sup> Jn<sup>o</sup> Richards, Cap<sup>t</sup>  
Lawrenc Hamond, & Mr Dudley being chosen for the ends aboue exprest.

Comittee to re-  
turne y<sup>e</sup> presi-  
dent the  
Courts thanks,  
&c.

Whereas the Waymesitt Indians are vehemently suspected to be actors &  
consentors to the burning of a haystacke at Chelmsford, this Court judgeth it  
meet that such Englishmen as cann inform or give euidence in the case be  
forth with sent for, and \*also those Indians now at Charls Toune, and the  
case to be heard by this Court, then & there to consider & conclude what w<sup>th</sup>  
the sajd Indians.

Waymesitt In-  
dians to be  
heard.

[\*55.]

Vpon the sad intelligenc from Saco, & the great danger of all those  
parts, it is ordered, that there be 50 souldiers imēdiately from Boston &  
Charls Toune sent away in some vessel or vessells for the releife of those  
parts, & that they be vnder the comānd of Leiftenn<sup>t</sup> Scottaway, and that Ma-  
jo<sup>r</sup> Clarke take care that this order be effected as to the dispatch of the men,  
& furnishing a<sup>n</sup>ition & prouission for the voyage.

Order to send  
50 men to the  
eastern parts.

Cap<sup>t</sup> James Oliuer & Mr Thomas Bratle hauing lately seized eight bar-  
rells of powder w<sup>ch</sup> was exporting out of this jurisdiction, & craving that they  
may haue the one half of the sajd powder so seized, according to the lawe, w<sup>ch</sup>  
the Court judgeth it meet to allow them; and doe ffurther order, that they,  
the sajd James Oliuer & Thomas Bratle, shall and hereby are impowred from  
time to tyme, & either of them, to search all persons & vessells that arc, or  
any way shall be, suspitious to them to be breakers of the sajd law, & they to  
haue the benefitt arising by seizure of any powder; and also that they be vn-  
der an oath for the faithfull pformance of their dutjes herein.

Order for Cap<sup>t</sup>  
Oliuer & Le<sup>t</sup>  
Bratle to be  
searchers for  
powder, &c.

All English people must take notice that Willjam Nahauton & John  
Hunter haue liberty granted to passe & repasse betweene Puncapaug & the  
place assigned to them neere Joseph Belchars, for the conveiance of their

Liberty grant-  
ed to W<sup>m</sup> Aha-  
ton & Jn<sup>o</sup> Hun-  
ter.

1675.

13 October.

goods, and all the English are required not to molest them, or any in their travailes betweene the said places, but to be helpfull & assistant to them in this their ordered remove, provided it be within one weekes time they so remove.

Major Gen<sup>l</sup> to  
secure y<sup>e</sup> Indi-  
ans at Wame-  
sicke.

W<sup>m</sup> Hawkins,  
Indian, to be  
sold & sent  
away.

Mannapaugh  
& Mannsett to  
be sent away.

It is ordered, that the major generall forthwith take order to secure the Indians at Wamesicke, & about Chelmsford.

Vpon the Courts hearing the evidences produced against W<sup>m</sup> Haukins, Indian, as to the firing the haystacke at Chelmsford, sentenct him to be sent away by the Treasurer.

Two Indians, one an old man named Mannapaugh, & Mannanesit, a young man, his sonn, pretending themselves to belong to Vncas, being found at Chelmsford, where the haystacke was fired, giving no reason of their coming & staying here, was judged to be spies, and ordered to be sent away by the Treasurer.

Anst to War-  
ner & Parsons  
petiō. for pay-  
m<sup>t</sup> for catle.

In answer to the petition of Samuel Warner & Thomas Parsons, the Court judgeth it meete to allow Sa<sup>m</sup> Warner eight pounds for two oxen, & four pounds for other catle, in all twelve pounds, & Thomas Parsons to be allowed for his catle, to be paid by the County Treasurer.

This Court is adjourned to y<sup>e</sup> 3<sup>d</sup> of November, at one of the clocke.

[Page \*56 and a part of page \*57 of the original are blank.]

[\*57.]

3 November.

*\*Att an Adjournment of the Gen<sup>l</sup> Court of October, held at Boston, the 3<sup>d</sup> of November, 1675.*

PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Go<sup>v</sup>,  
Sa<sup>m</sup> Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>.  
Symon Bradstreet,  
Daniel Gookin,  
Daniel Denisson,  
Richard Russell,  
Th<sup>o</sup> Danforth,  
W<sup>m</sup> Hathorne,  
Edw<sup>d</sup> Tyng,  
W<sup>m</sup> Stoughton,  
Th<sup>o</sup> Clarke,

} Esq<sup>rs</sup>.

The deputys were y<sup>e</sup> same at y<sup>e</sup> Court as at y<sup>e</sup> last.

**W**HEREAS the most wise & holy God, for seuerall yeares past, hath not only warned us by his word, but chastized us w<sup>th</sup> his rods, inflicting vpon vs many generall (though lesser) judgments, but we haue neither heard the word nor rod as wee ought, so as to be effectually humbled for our sinns to repent of them, reforme, and amend our wayes ; hence it is the righteous God hath heightened our calamjty, and given comission to the barbarous heathen to rise vp against us, and to become a smart rod and seuerer scourge to us, in burning & depopulating seuerall hopefull plantations, murdering many of our people of all sorts, and seeming as it were to cast us off, and putting us to shame, and not going forth w<sup>th</sup> our armjes, heereby speaking aloud to us to search and try our wayes, and turne againe vnto the Lord our God, from whom wee have departed with a great backsliding.

1675.

3 November.  
Provoking  
evills.

1. The Court, apphending there is too great a neglect of discipline in the churches, and especially respecting those that are their children, through the non acknowledgment of them according to the order of the gossell ; in watching ouer them, as well as chattechising of them, inquireing into their spirituall estates, that, being brought to take hold of the couenant, they may acknowledge & be acknowledged according to their relations to God & to his church, and their obligations to be the Lords, and to approove themselues so to be by a suiteable profession & conuersation ; and doe therefore solemnly recomēd it vnto the respective elders and brethren of the seuerall churches throughout this jurisdiction to take effectuell course for reformation herein.

Care of children  
of y<sup>e</sup> church  
commended to  
y<sup>e</sup> elders.

\*2. Whereas there is manifest pride openly appearing amongst us in that long haire, like weomens haire, is worne by some men, either their oune or others haire made into perewiggs, and by some weomen wearing borders of hajre, and their cutting, curling, & imōdest laying out their haire, which practise doeth prevayle & increase, especially amongst the younger sort, —

[\*58.]

Courts sence  
of the ill cus-  
tome of long  
haire, perre-  
uigs, &c.

This Court doeth declare against this ill custome as offēciue to them, and diuers sober christians amongst us, and therefore doe hereby exhort and advise all persons to vse moderation in this respect ; and further, doe empower all grand jurjes to present to the County Court such persons, whither male or female, whom they shall judge to excede in the premisses ; and the County Courts are hereby authorized to proceed against such delinquents either by admonition, fine, or correction, according to their good discretion.

3. Notw<sup>th</sup>standing the wholesome lawes already made by this Court for restreyning excesse in apparrell, yet through corruption in many, and neglect of due execution of those lawes, the euill of pride in apparrell, both for costljnes in the poorer sort, & vajne, new, strainge fashions, both in poore & rich, w<sup>th</sup> naked breasts and armes, or, as it were, pinioned w<sup>th</sup> the addition of

Excesse in ap-  
parell.



1675. superstitious ribbons both on hajre & apparrell; for redresse whereof, it is ordered by this Court, that the County Courts, from time to time, doe giue strict charge to present all such persons as they shall judge to exceede in that kinde, and if the grand jury shall neglect their duty herein, the County Court shall impose a fine vpon them at their discretion.

3 November.

And it is further ordered, that the County Court, single magistrate, Cõmissioners Court in Boston, haue heereby power to sũmon all such persons so offending before them, and for the first offence to admonish them, and for each offence of that kinde afterwards to impose a fine of tenn shillings vpon them, or, if vnable to pay, to inflict such punishment as shall be by them thought most suiteable to the nature of the offence; and the same judges aboue named are heereby impowred to judge of and execute the lawes already extant against such excesse.

Pœnalty for  
Quakers meet-  
ings 5<sup>li</sup>.

[\*59.]

Whereas it may be found amongst us, that mens thresholds are sett vp by Gods thresholds, and mans posts besides Gods posts, espeacially in the open meetings of Quakers, whose damnable hæresies, abominable idolatrys, are hereby promoted, embraced, and practised, to the scandall \*of religion, hazard of souls, and provocation of diuine jealousie against this people, for prevention & reformation whereof, it is ordered by this Court and the authority thereof, that euery person found at a Quakers meeting shall be apphended, ex officio, by the constable, and by warrant from a magistrate or cõmissioner shall be cõmitted to the house of correction, and there to haue the discipline of the house applied to them, and to be kept to worke, w<sup>th</sup> bread & water, for three days, and then released, or else shall pay five pounds in money as a fine to the county for such offence; and all constables neglecting their duty in not faithfully executing this order shall incurr the pœnalty of four pounds, vpon conviction, one third whereof to the informer.

Penalty for im-  
portation of  
Quakers 20<sup>li</sup>.

And touching the law of importation of Quakers, that it may be more strictly executed, and none transgressing to escape punishment, —

It is heereby ordered, that the penalty to that law auerred be in no case abated to lesse than twenty pounds.

To prevent  
profanes in the  
meeting house.

5. Whereas there is so much profanes amongst us in persons turning their backs vpon the publick worship before it be finished and the blessing pronounced, —

It is ordered by this Court, that the officers of the churches, or selectmen, shall take care to prevent such disorders, by appointing persons to shutt the meeting house doores, or any other meete way to attaine the end.

6. Whereas there is much disorder & rudenes in youth in many congregations in time of the worship of God, whereby sin & prophaness is greatly increased, for reformation whereof, —

It is ordered by this Court, that the select men doe appoint such place or places in the meeting house for children or youth to sit in where they may be most together and in publick view, and that the officers of the churches, or selectmen, doe appoint some graue & sober person or persons to take a particcular care of and inspection ouer them, who are heereby required to present a list of the names of such, who, by their oune observance or the information of others, shall be found delinquent, to the next magistrate or Court, who are impowred for the first offence to admonish them, for the second offence to impose a fine of five shillings on their parents or gouernno's, or order the children to be whipt, and if incorrigible, to be whipt w<sup>th</sup> ten stripes, or sent to the house of correction for three dayes.

1675.

3 November.  
Youth to be  
watcht off in y<sup>e</sup>  
meeting house.  
If rude there,  
to be admon-  
isht or be  
whipt, &c

\*7. Whereas the name of God is prophaned by common swearing and cursing in ordinary communication, which is a sin that growes amongst us, and many heare such oathes and curses, and conceales the same from authority, for reformation whereof, it is ordered by this Court, that the lawes already in force against this sin be vigorously prosecuted; and, as addition therevnto, it is further ordered, that all such persons who shall at any time heare prophane oathes and curses spoken by any person or persons, and shall neglect to disclose the same to some magistrate, commissioner, or constable, such persons shall incur the same penalty provided in that law against swearers.

[\*60.]

To prevent  
oathes &  
curses.

8. Whereas the shamefull and scandalous sin of excessive drinking, tipling, & company keeping in tavernes, &c, ordinarys, grows vpon us, for reformation whereof, —

It is comended to the care of the respective County Courts not to license any more publick houses then are absolutely necessary in any town, and to take care that none be licenst but persons of approved sobriety and fidelity to law and good order; and that licensed houses be regulated in their improvement for the refreshing & entertainment of travellers & strangers only, and all town dwellers are heereby strictly enjoyned & required to forbear spending their time or estates in such common houses of entertainment, to drinke & tiple, vpon penalty of five shillings for every offence, or, if poore, to be whipt, at the discretion of the judge, not exceeding five stripes; and every ordinary keeper, permitting persons to transgress as aboue said, shall incur the penalty of five shillings for each offence in that kinde; and any magistrate, commissioner, or selectmen are impowred & required vigorously to putt the aboue-said law in execution.

Order to pre-  
vent tipling in  
ordinarys by  
town dwellers  
on penalty 5s.

Like penalty  
on inkeepers y<sup>e</sup>  
suffer such tip-  
pling.

And, further, it is ordered, that all private, unlicensed houses of entertainment be diligently searched out, and the penalty of this law strictly imposed; and that all such houses may be the better discovered, the select-

Inspectors of  
this law to be  
observed.

1675. men of every toun shall choose some sober and discrete persons, to be authorized from the County Court, each of whom shall take the charge of ten or twelue familjes of his neighbourhood, and shall diligently inspect them, and p̄sent the names of such persons so transgressing to the magistrate, cōmissioners, or selectmen of the toun, who shall returne the same to be proceeded w<sup>th</sup> by the next County Court as the law directs; and the persons so chosen and authorized, and attending their duty \*ffaithfully therein, shall haue one third of the fines allowed them; but, if neglect of their duty, and shall be so judged by authority, they shall incur the same p̄nalty provided against vnlicensed houses.

3 November.

[\*61.]

Courts fear of  
the breach of y<sup>e</sup>  
5 com̄ds.

W<sup>th</sup> p̄naltys  
imposed on y<sup>e</sup>  
non observers  
thereof, &c.

9. Whereas there is a wofull breach of the fifth comandment to be found amongst us, in contempt of authority, civil, ecclesiasticall, and domesticall, this Court doeth declare, that sin is highly provoaking to the Lord, aḡinst which he hath borne seuer testimony in his word, especially in that remarkeable judgments vpon Chorah and his company, and therefore doe strictly require & comand all persons vnder this gōfiment to reforme so great an evil, least God from heauen punish offenders heerin by some remarkeable judgments. And it is further ordered, that all County Courts, magistrates, cōmission's, selectmen, and grand juro's, according to their seuerall capacitjes, doe take strict care that the lawes already made & provided in this case be duely executed, and particularly that evil of inferiours absenting themselues out of the familjes wherevnto they belong in the night, and meeting with corrupt company w<sup>th</sup>out leaue, and against the minde & to the great greife of their superiours, which euil practise is of a very perrillous nature, and the roote of much disorder.

It is therefore ordered by this Court, that whateuer inferiour shall be legally convicted of such an euil practise, such persons shall be punished w<sup>th</sup> admonition for the first offence, w<sup>th</sup> fine not exceeding ten shillings, or whipping not exceeding fve stripes, for all offences of like nature afterwards.

Order to pre-  
vent the sin of  
idleness.

10. Whereas the sin of idlenes (w<sup>ch</sup> is a sin of Sodom) doeth greatly increase, notwithstanding the wholesome lawes in force ag<sup>t</sup> the same, as an addition to that law, —

This Court doeth order, that the constable, w<sup>th</sup> such other person or persons whom the selectmen shall appoint, shall inspect particullar familjes, and present a lyst of the names of all idle persons to the selectmen, who are heereby strictly required to proceed w<sup>th</sup> them as already the law directs, and in case of obstinacy, by charging the constable w<sup>th</sup> them, who shall convey them to some magistrate, by him to be cōmitted to the house of correction.

11. Whereas there is oppression in the midst of us, not only by such



shopkeepers and merchants who set excessive prizes on their goods, also by mechanicks but *also by mechanicks* and day labourers, who are dayly guilty of that euill, for redress whereoff, & as an addition to y<sup>e</sup> law, title Oppression, itt is ordered by this Court, that any person that judgeth himself oppressed by shopkeepers or merchants in setting \*excessive prizes on their goods, haue heereby liberty to make theire complaint to the grand juro's, or otherwise by p<sup>e</sup>tition to the County Court im<sup>e</sup>diately, who shall send to the person accused, and if the Court, vpon examination, judge the person complayning injured, they shall cause the offender to returne double the ouerplus, or more then the æquall price, to the injured person, and also impose a fine on the offenders at the discretion of the Court; and if any person judge himself oppressed by mechanicks or day labourers, they may make complaint thereof to the selectmen of the toune, who if vpon the examination doe find such complaint just, hauing respect to the quality of the pay, and the length or shortnes of y<sup>e</sup> day labour, they shall cause the offender to make double restitution to the party injured, and pay a fine of double the value exceeding the due price.

1675.

3 November.  
Order providing double restitution to be  
[\*62.]

made to y<sup>e</sup> oppressed by shopkeepers, merchs, or day laborers, &c.

12. Whereas there is a loose & sinfull custome of going or riding from toune to toune, and that oft times men & weomen together, vpon pretence of going to lecture, but it appeares to be meerely to drinke & reuell in ordinaries & tavernes, which is in itself scandalous, and it is to be feared a notable meanes to debauch our youth and hazard the chastity of such as are draune forth therevnto, for prevention whereoff, —

Order to prevent misspent of time in riotous riding abroad in companies, &c.

It is ordered by this Court, that all single persons who, meerly for their pleasure, take such journeyes, & frequent such ordinaries, shall be reputed and accounted riotous & unsober persons, and of ill behauiour, and shall be liable to be summoned to appeare before any County Court, magistrate, or comissioner, & being thereof convicted, shall give bond & sufficient suretjes for the good behauiour in twenty pounds, and vpon refusall so to doe, shall be committed to prison for ten days, or pay a fine of forty shillings for each offence.

On penalty of good behaviour.

It is ordered by this Court, that euery toune in this jurisdiction shall provide, as an addition to their toune stocke of am<sup>u</sup>nition, sixe hundred of flints for one hundred of lysted souldjers, and so proportionably for a lesser or greater number, to be constantly mainteyned & fitted for publick service.

Order regulating each toune to provide flints.

14. This Court, considering the great abuse & scandall that hath arisen by the license of trading houses w<sup>th</sup> the Indians, whereby drunkenes and other crimes haue binn, as it were, sold vnto them, —

It is ordered by this Court, that all such trading houses, from the publication hereof, shall wholly cease, and none to presume \*to make any sale vnto them, except in open shops and townes where goods are sold vnto the English,

Trading houses with the Indians to cease.

[\*63.]



1675. vpon the pœnalty of ten pounds for euery conviction before lauffull authority,  
 one third to the informers, the remainder to the country, any law, vsage, or  
 custome to the cōnrary notwithstanding.

3 November.

2 watchmen to  
the powder  
mill.

Any twomagis-  
trates may im-  
press for publi  
works.

Order for re-  
leife of the dis-  
tressed.

This Court, hauing ordered two watchmen from Dorchester and Milton to watch at Dorchester mill, and vnderstanding the vndertakers of the powder mill, for better deffence thereof, are erecting a smale stone watch house at their oune charges, on theire request, as being of publicke concernment, this Court declares, that the vndertakers of the powder mill may repaire to any one majestrate, who, by the law, are impowred to give warrant to impresse workmen to carry on publick works, of w<sup>ch</sup> sort this is.

This Court, considering the inconvenience & damage that may arise to particullar townes by such as, being forced from theire habitations through the present calamity of the warr, doe repaire vnto them for succour, doe order and declare, that such persons (being inhabitants of this jurisdiction) who are so forced from theire habitations & repaire to other plantations for releife, shall not, by virtue of theire residence in sajd plantations they repaire vnto, be accounted or reputed inhabitants thereof, or imposed on them, according to law, title Poore; but in such case, and where necessity requires, (by reason of inability of relations, &c,) they shall be suppljed out of the publicke treasury; and that the selectmen of each toun inspect this matter; and doe likewise carefully provide, that such men or weomen may be so employed, and children disposed of, that, as much as may be, publick charge may be avoyed.

No Indians to  
goe off y<sup>e</sup> isl-  
ands where  
plact without  
leauē on paine  
of death.

Whereas this Court haue, for weighty reasons, placed sundry Indians (that haue subjected to our goũm<sup>t</sup>) vpon some islands for their and our security, —

It is ordered, that none of the sajd Indians shall presume to goe off the sajd islands voluntarily, vpon paine of death; and it shall be lauffull for the English to destroy those that they shall finde stragling off from the sajd places of theire confinement, vnlesse taken of by order from authorjty, and vnder an English guard. And it is further ordered, that if any person or persons shall presume to take, steale, or carry away either man, woeman, or child of the sajd Indians, off from any the sajd islands where they are placed, w<sup>thout</sup> order from the Generall Court or council, he or they shall be accounted breakers of the capitall law printed & published against man stealing; and this order to be forthwith posted and published.

Lyke pœnalty  
for such as  
take or carry  
of the Indians  
w<sup>thout</sup> leauē.

Tresurer to  
pvide for y<sup>e</sup> In-  
dians at Deare  
Island.

The whole Court being mett, it is ordered, that the country Tresurer take care for y<sup>e</sup> provision of those Indians that are sent doune to Deare Island, so as to pvent their perishing by any extremity that they may be put vnto for want of absolute necessities, and for that end he is to appoint meet psons to vissit them from time to time.

\*The council, hauing ordered the select men in each toune to impresse men to help in the corne of such men that are impressed and absent from home, in the country service, but having fixed no rate how much per day shallbe allowed such labourers, —

1675.

3 November.

[\*64.]

This Court doeth order, they shall be allowed one shilling sixe pence per day in pay, as the country rate is payd, prouided it appeare they haue donn a sufficient dayes worke.

18<sup>d</sup> pr day al-  
lowed to such  
as wrought for  
y<sup>e</sup> souldjers.

This Court, considering the present state of affaires amongst us, in respecting the Indian warr, and what hinderance the same may be to the raysing suppljes of prouissions amongst ourselues, —

Wheat & flow-  
er phibbited  
importaçon,  
&c, suspended.

Judge meete that the law prohibiting importation of wheat, bisket, & flower, page 106, be suspended as to the particullars aboue mentioned, untill this Court take further order.

It is ordered by this Court, that the officers & servants of the colledge, or of any Court that are by law or custom exempted in their persons or estates from publick services and country rates, shallbe liable to be rated in in the levy made for the payment of debts for the present warr, and to serve in their oune persons, as their neighbours doe, in the toune where they dwell, prouided the corporation of the colledge be excepted; and, likewise, that what is heereby aduanced to the countrey rate, care may be taken that it comes into the publick treasury, and not to the particullar toune advantage where such persons dwell.

Colledge offi-  
cers to pay  
rates to y<sup>e</sup>  
warr.

This Court, considering the great dainger of a famine, or at least a scarcity of bread and other prouissions, by reason of this warr, if the Lord gratiously prevent not, —

Exportation of  
prouissions  
phibbited on  
penalty, &c.

Doe hereby strictly prohibit the exportation of all sorts of prouissions, (except fish & mackerell,) out of this jurisdiction vpon any pretence whatsoever, (victualling of ships or vessells excepted,) and Captaine James Olliuer and Leiuetenñt Thomas Bratle are appointed by this Court to inspect the same, and to make seizure of all such prouissions as shall be loaden contrary to this order for exportation, to be forfeited, one fowerth part to the persons seizing, the remainder to the vse of the country; & this order to stand in force till the Generall Court or council shall see just cause to reuoake it, prouided the council may giue liberty to any person if they see cause.

Cap<sup>t</sup> Olliū &  
Le<sup>t</sup> Bratle to  
inspect y<sup>e</sup> or-  
der.

It is ordered, that all such persons that haue already quitted their habitations at Mendon, & doe not forthwith returne, or shall heereafter leaue their habitations, licence not being first obteyned from the Generall Court or council, they shall forfeite their interest in that place to the country for the defraying of the charge of the garrison souldiers.

Inhabitants of  
Mendon not to  
quitt their  
habitations on  
penalty.

1675.

3 November.

[\*65.]

Accom<sup>ts</sup> for dis-  
bursm<sup>ts</sup> of  
armes, horses,  
&c, to be settled  
by com<sup>tee</sup> of  
militia in each  
toun.

Prevention of  
charg on trans-  
portation of  
rates, &c.

Order for se-  
curing of the  
grayne that is  
inned.

Ans<sup>r</sup> to Roads,  
Judson, &c,  
peti<sup>on</sup>, their  
liues granted  
in case, &c.

Y<sup>e</sup> Naragans<sup>ts</sup>  
fayleuer com-  
ended to y<sup>e</sup>  
com<sup>is</sup> of y<sup>e</sup> y<sup>e</sup>  
colonjes for an  
expedient, &c.

\*It is ordered, that the com<sup>tees</sup> of militia in the seuerall tounes shall heare, determine, & settle the whole accounts of the seuerall tounes respecting all disbursments of armes, aminition, horses, furniture, prouissions, &c, not exceeding three pounds for a horse, and as neare as may be proportioning the accounts of disbursments, whose bills to the Treasurer or com<sup>tee</sup> of that affayre shall be payd when the assessments are come in, rayseed vpon that account.

For prevention of the charge and trouble of transportation of the rates to be levyed to the Tresurer of the country, as also matter of conveniency therein appearing, —

It is ordered, that bills for wages, horses, prouissions, &c, being regularly passed to the sajd Treasurer, the Treasurer, vpon the desire of persons concerned, shall repasse bills to the constables of such tounes where su<sup>m</sup>s are due vpon the aforesajd accounts.

Forasmuch as the preservation of the grajne, both Indian & English, in this colony is of great necessity, and the scittuation of our inhabitants in the seuerall tounes being in so scattering and remote a condition as that there can be no security from the ennemy of the grajne inned in the barnes of the seuerall inhabitants, —

It is ordered by this Court, that there be effectuall care forthw<sup>th</sup> taken by the seuerall militias and selectmen of the tounes for the securing the sajd grajne, by remooving it w<sup>th</sup>in the com<sup>and</sup> of the garrison or garrisons of the respective tounes, so as that the ennemy may not be able at pleasure to destroy it, or furnish themselues with it.

Whereas John Roads, Peeter Grant, & Randolph Judson, condemned malefacto<sup>rs</sup>, now in prison, haue petitioned this Court for pardon of their lives, & formerly for exchange of sentence, the Court, hauing considered their peti<sup>ons</sup>, and duely weighing their notorious crimes, cannot consent to pardon their liues, vnlesse they willingly, and of their oune <sup>^</sup>, and procure some person or persons that shall give sufficient security to pay their prison charges, & to export them out of the country to some of the English plantations, & there to serve seven yeares, and not to returne to this jurisdiction, vpon pajne of death, w<sup>th</sup>out license from this Court or the council, or otheruise warrant to issue forth by the secretary for their execution by the last of December next.

This Court, considering the feyleur of the Narrigansets in performing their couenants, as also the representation made by Cap<sup>t</sup> Apleton of the slow progresse made against the ennemy at Hadley, occasioned by the non attendance of our freinds of Connecticott to the orders of the com<sup>issioners</sup>, & the expectation of this Court, doe therefore com<sup>end</sup> the p<sup>misses</sup> to the present



consideration of the commissioners of the colonies, that they forthwith provide, 1675.  
 or at least propose, some meet & suiteable expedient to prevent the mischeefe  
 that ensue vpon such miscarriages & neglect. 3 November.

\*Wee, the committee of the Generall Court, mett at Salem, hauing given [\*66.]  
 free & publicke liberty for each party to expresse themselves in the matters of June 10, 1675.  
 their present differences vnto a full hearing of the case committed to us, cannot Committees re-  
 but first manifest our deepe & sorrowfull sence of the sinfull causes, sad con- turne.  
 comitants, & fruites of that vnbrotherly distance of affection & spirrit of con-  
 tention which hath binn too long prevayling in the church & inhabitants heere.  
 More especially wee haue observed, to our great greife, how much advantage  
 Sathan is getting by those strainge & sinfull animositjes, & highly reflecting,  
 provoaking cariages & expressions that haue passed betweene those who are  
 cheife in this place, whose disvnion in no wise consist with the flourishing &  
 much to be desired efficacy & beauty of civell & sacred ordenances amongst  
 this people, all w<sup>ch</sup> wee doe solemnly beare our testimony against.

And that wee may further attend the errand about which wee are sent,  
 and in some measure (as God shall be pleased to give successe) attayne the  
 great end aymed at by the honored Court, wee declare and advize as follow-  
 eth:—

1<sup>st</sup>. Wee declare the course & way that hath been attended in the calling  
 and setting of M<sup>r</sup> Nicholet as a preacher, by a promiscuous vote of the tounes,  
 is very irregular, expressly contrary to the knoune wholesome lawes of this  
 jurisdiction, & of a very daingerous tendency & influence as to the state &  
 order of the churches here established, and alike irregular & of evill conse-  
 quence, wee declare the generall voting of such inhabitants in tounes affaires,  
 who are not expressly qualified so to vote by law.

As an expedient for the recovery & settlement of the peace & order of  
 this place, wee advise & direct they do seriously endeavor a mutuall agree-  
 ment to walke together in love, and to that end that the whole church and  
 tounes meete together in a day of publicke humilliation, to be sett apart to  
 that end, and that the worke of the day be carried on by the reuerend pastor,  
 M<sup>r</sup> Higginson, & M<sup>r</sup> Nicholet, that the whole assembly may humble them-  
 selves before God for past irregularitjes, & seeke reconciliation w<sup>th</sup> him and  
 one w<sup>th</sup> another; and so the worke of publike preaching for the future to be  
 carryed on joyntly by M<sup>r</sup> Higginson & M<sup>r</sup> Nicholet, as before, that so the  
 whole people maybe in a way of mutual accord; and when there shall be  
 need of issuing forth into another congregation, so weighty a worke may be

Their counsell  
 & advise as to  
 healling of y<sup>e</sup>  
 differences at  
 Salem.



1675. donn w<sup>th</sup> mutuall love & sattisfaction, and according to the rules of Gods  
word, & the lawes here established.

3 November.

Signed,

JOHN LEUERET, Gov<sup>r</sup>,  
SAMUEL SYMONDS, Dep<sup>t</sup> Gov<sup>r</sup>,  
EDWARD TYNG,  
WILLJAM STOUGHTON,  
JOHN RICHARDS,  
PETER BULKELEY,  
HUGH MASON,  
JOSEPH DUDLEY,  
DANIEL FISHER,  
JOHN WAJTES.

Nov: 3, 1675.

The Court approoves of this returne of the comitte, and gives the comitte hearty thanks for their paines, and advise the partjes concerned to attend the councel therein given.

As attest

EDW: RAWSON, Secre<sup>t</sup>.

[\*67.]

Ans<sup>r</sup> to Cap<sup>t</sup>  
Corwins peti-  
tion.

\*In ans<sup>r</sup> to the peti<sup>ti</sup>on of Cap<sup>t</sup> George Corwin, the Court ordered a hearing of the case therein mentioned.

The partjes appearing before the Court, Cap<sup>t</sup> Corwin & Stephen Haskett,

Hasket sen-  
tenc<sup>t</sup> to make  
acknowledgn<sup>t</sup>  
as to Cap<sup>t</sup> Cor-  
wins vindica-  
ti<sup>o</sup>.

The Court, considering the high reflection & scurrilous imputations cast vpon Cap<sup>t</sup> Georg Corwin, joyned with notorious scandall raysed vpon said Court, & contemptuous expressions relateing to the majo<sup>r</sup> geñll, doe adjudge the said Haskett, vpon some lecture day at Salem, at the appointment of the comitte of militia there, & to their sattisfaction, to make an acknouledgment in the vindication of the said Captaine Corwin, and also to pay, as a fine to the country, the summe of ffty pounds, and that he stands comitted till the said fine be dischargd, or security given for the payment thereof.

& fined 50<sup>u</sup> to  
y<sup>e</sup> country.

Wannalausets  
2 Indians in  
statu quo.

Whereas two Indians, that came in from Wannalauset, vpon a safe conduct from the council, haue, through some mistake, been sentenced by this Court to be sold, which now appearing, it is ordered, that the said sentence be reversed, & that they be otherwise disposed of for their oune and the countrys security. The names of the Indians are Monnipaugh & Mannassett. And although the said persons should be sold, yet the keeper shall not deliuer them without order of this Court or council.

It is ordered, that Richard Norman be ensigne to the ffoote company at Marblehead. 1675.

In answer to the humble petition of Stephen Hasket, humbly desiring the favor of this Court to remitt or abate his fine, the Court judgeth it meet to abate his fine to twenty pounds.

It is ordered, that the major of Suffolke forthwith order out of his regiment eighteen able souldjers, well fitted, armed, & furnished with am̄nition & provision for ten dayes, to be sent away w<sup>th</sup> all speed, vnder the conduct of a fitt person to make a leifteñt, and these souldjers are to recruit Cap<sup>t</sup> Hinchmans company, & search out for the ennemy about Hassanemesit.

It is ordered, that the County Court of Suffolke be adjourned till the morrow fortnight, being 22<sup>th</sup> inst.

The whole Court mett together voted, that the choyce of the com̄issioners of the Vnited Colonjes of Josiah Winslow, Esq<sup>r</sup>, Goũ<sup>r</sup> of Plymouth, to be generall & com̄ander in cheif of all the forces rayed by all the colonjes against this treacherous & com̄on ennemy of the Indians, is very acceptable & gratefull to them, and that he haue notice given him accordingly of this Courts acceptance of him to y<sup>t</sup> service.

Cap<sup>t</sup> Hubard, Cap<sup>t</sup> Olliuer, Cap<sup>t</sup> Isā Johnson, Cap<sup>t</sup> Na<sup>th</sup> Davenport, Cap<sup>t</sup> Joseph Gardiner, for the ffoote, & Cap<sup>t</sup> Thō Prentice for the troope of horse, are appointed to be the capitaines to be employed in y<sup>s</sup> service.

\*The Court wrote & sent a letter to Cap<sup>t</sup> Hinchman, & is on file.

A day of solemn humilliation appointed & sett apart by y<sup>e</sup> Court, to be on 2<sup>d</sup> of December next, for the imploring Gods speciall grace & favor to appeare for his poore people, &c.

It is ordered, that Cap<sup>t</sup> Scyll, w<sup>th</sup> his company, take recruit at Marlborow, & forthuith march to Hassanemesit, & endeavor to joyne w<sup>th</sup> Cap<sup>t</sup> Hinchman to pursue the ennemy, w<sup>ch</sup> wee heare lirketh thereabouts, & hath lately repelled some of Cap<sup>t</sup> Hinchmans men at Hassanemesit, & slayne his leifteñt & one English man more; and after Cap<sup>t</sup> Scylls conjunction w<sup>th</sup> Cap<sup>t</sup> Hinchman, he & his company shallbe at the com̄and of Cap<sup>t</sup> Hinchman, as com̄ander in cheife of that party, & that a copy of this order be im̄ediately posted away to Cap<sup>t</sup> Scyll.

It is ordered, that the com̄ittee for the warr forthuith send to Cap<sup>t</sup> Hinchman at Mendon a supply of those necessarys for his souldjers that he writes for, w<sup>ch</sup> y<sup>e</sup> secretary is to transcribe out of his letter, & deliuer the com̄ittee.

In ans<sup>r</sup> to the petition of Major Symon Willard, or his narrative, the Court, in consideration of his service therein expressed, doe grant him tenn pounds as a recompence for the same.

3 November.

Rich<sup>d</sup> Norman  
ensign to foot  
compa. at Mar-  
blehead.

Major of Suf-  
folke to send  
forth 18 soul-  
diers to search  
out the enne-  
my.

County Court  
of Suffolks ad-  
journ<sup>t</sup>.

Josiah Wins-  
low, Esq<sup>r</sup>, Gou.  
of Pljmouth,  
gen<sup>l</sup> of all y<sup>e</sup>  
vnited forces.

12 No.

To goe forth 10  
Dec<sup>r</sup> next.

The 6 capitaines  
in y<sup>s</sup> service,  
Cap<sup>t</sup> Mosely  
instead of Cap<sup>t</sup>  
Hubbard.

[\*68.]

12 Nov.

Courts ans<sup>r</sup> to  
Cap<sup>t</sup> Hinchm.  
Vide file.

2<sup>d</sup> Dec. to be a  
day of humillia-  
tion. Sent to  
y<sup>e</sup> presse.

Cap<sup>t</sup> Scyll  
im̄ediately to  
march & joyne  
w<sup>th</sup> Cap<sup>t</sup> Hinch-  
man, &c.

Prouissions or-  
derd to Cap<sup>t</sup>  
Hinchman.

Maj<sup>r</sup> Willards  
recompence,  
10<sup>li</sup>.

1675. It is ordered by this Court, that M<sup>r</sup> Anthony Stoddard shall deliuer vnto  
 12 November. Cap<sup>t</sup> Joshua Hubbard two carbjnes, or two such other gunns as he shall  
 choose, out of the country stocke of armes, in order to his preparation for  
 this expedition, for himself & leiuet<sup>en</sup>.

1675-6. \*. *Ht a Special Generall Court, called by the Gounor. & held at Boston,*  
 21 February. *21<sup>th</sup> February, 1675.*

[\*69.]

PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Gou,  
 Sam<sup>l</sup> Symonds, Dep<sup>t</sup> Gō.  
 Symon Bradstreet,  
 Daniel Gookin,  
 Daniel Denison,  
 Symon Willard,  
 Rich<sup>d</sup> Russell,  
 Thō Danforth,  
 W<sup>m</sup> Hauthorn,  
 Edw<sup>d</sup> Tyng,  
 W<sup>m</sup> Stoughton,  
 Thō Clarke,

} Esq<sup>rs</sup>.

The deputjes of y<sup>e</sup> Court returned were, —

M<sup>r</sup> Peeter Bulkley, Speakt.

**W**HEREAS the law, title Military, sec<sup>t</sup> 11, enjoines that no major of  
 any regiment shall march with his regiment out of the county  
 wherein he hath comānd, nor cause any part thereof so to doe, w<sup>th</sup>out order  
 from the Generall Court, council, or major generall, except it be in pursuite  
 of the ennemy vpon a rout, this Court doeth order, that during these warrs,  
 & till this Court take further order, it shallbe in the liberty of the major of  
 each county, or any inferiour comission officer who hath comānd of any com-  
 pany or party of men, to goe out of their oune propper county for engageing,  
 pursuing, or destroying the ennemy, so as they act not contrary to p<sup>ar</sup>ticular or-  
 der from superior officer or authority.

Whereas, by a late order, the troopers were made liable to be impressed  
 by floote souldiers at such times as it was supposed there would be litle vse

of them against the Indians, who are found by experience to be very serviceable & necessary, & haue binn employed in a full proportion to the ffoote, it is hereby ordered, that that part of the order concerning troopers be repealed.

1675-6.

21 February.

Whereas the present warr w<sup>th</sup> the Indians hath so farr exhausted the country treasury, that there is not a sufficiency to prosecute the sajd warr to effect; for the encouragement of such gen<sup>tn</sup> merchants, or any other person or persons, that are able & willing to disburse & send to the publicke, it is hereby declared, that the Generall Court of this colony shall from time to time, and at all times, stand firmly obliged for the repayment of all & euery summe or summes disbursed & lent for the vse of the publicque, as abouesajd, and the receipt of the same, being given vnder the hand & seale of the Tresurer of the country, or his successors, shallbe sufficient and vallid prooffe of the sajd disburs; and for further security to those that shall disburse, as aboue sajd, this Court doeth also obleige vnto them all publicque & com<sup>on</sup> lands w<sup>th</sup>in this jurisdiction, and all the interest that this colony hath, may, or ought to haue, in any conquered lands in any other jurisdiction, so as that no part of these lands shallbe granted, given, or otherwise disposed of, (saue for the payment of debts that shall be contrated as aboue,) vntill the sajd debts be fully payd.

And further, the whole Court voted, that the Tresurer is heereby to contract & agree w<sup>th</sup> those that lend mony, as to the time & interest for it.

Whereas there are complaints that such persons who lyst themselves voluntiers in the countryes service doe esteeme themselves from vnder the com<sup>and</sup> which is necessary for the security of the country, it is therefore ordered by this Court, that all such persons so listing themselves shall be subject to all such martiall lawes as are or maybe provided for the well ordering of the forces of this jurisdiction.

Whereas there is observed a great neglect of the execution of the law lately made, title Guards & Garrison Souldjers, it is ordered by this Court, that the sajd law be carefully (by the com<sup>ittee</sup> of the militias, who are heereby impowred in that respect, or cheefe officer of each toun) put in execution, & in particular that dayly care be taken that a considerable part of the souldiery, by turnes, in the seuerall parts of the respective tounes, be improoved in scouting & warding, to prevent the sculking & lirking of the ennemy about the sajd tounes, & to giue tjmely notice of approaching dainger; & also, that the brush in highwayes & other places (judged necessary) be cutt vp, and that such persons, youths, &c, as are not in the roll of the trajne bands (except such as are in publicque place, exempted by law) be vnder obligation to



1675-6. attend comānd for that service, on pœnalty of five shillings p day for neglect. And it is further ordered, that the breaking vp of the watch be not till the rising of the sunn, at what time the scouts are to sett forth, and that no gun shall be then fired, on pœnalty of tenn shillings for each offence; these fines to be levyed by the clarke of the band by warrant from the comitte of militia or cheife officer, who, if they shallbe convicted of neglect of their duty concerning any of the premisses, they or he shall be fined tenn pounds to the publicke treasury.

21 February.

[\*70.] \*Whereas seuerall Indians that belong to the eastern parts that had w<sup>th</sup> draune themselues haue lately come in & rendred themselues to mercy, & diuers others are dayly expected in, concerning whom no effectuall course for their disposall is yet taken, this Court doth appoynt & authorize Major Richard Walderne, Major & Nicholas Shapleigh, to be a comitte for this affajre, who haue power heereby granted them to vse their best endeavors, as they may haue oppertunity, to treat w<sup>th</sup> the Indians of those parts, and, if they can vpon honourable & secure termes, to procure a peace betweene them & the English, and in that case shew such favour as may be a rationall furtherance to such a desireable end; and if such a peace cannot be settled, then it is left with this comitte to dispose of those Indians already come in, or that may be brought into their hands, by shipping them off or otherwise, whereby damage from them may be prevented.

Indians in rebellion encouraged to come in, &c.

It is ordered, that the honoured council vse vtmost endeavours, w<sup>th</sup> promise of such reward as they judge meet, to obtaine the Mohegin<sup>s</sup> & Pecquotts, & Ninicrafts Indians to cutt off the Indians in present hostility, or otheruise to invite them in, whither such as will deliuer vp their armes & relinquish the sachems engaged in warr against us.

Vppon consideration of many sculking Indians about our plantations doing much mischeife & damage, & that a probable way for their surprizall is by scouting in smale partjes, for encouragement thereof, this Court doeth order, that euery person or persons that shall surprize, slay, or bring in prisoner any such Indian on the south side of Piscataqua Riuer, he or they shallbe allowed three pounds p head, or the prisoners so taken, making it appeare to the comitte of militia of that toun to w<sup>ch</sup> they are brought.

In prosecution of the last vote for sending out of men to Meadfeild, the Court judgeth it meet to order & appoint Major Thomas Sanage comānder in cheiffe ouer all the sajd forces now at Meadfeild, or to be sent out thither, relating to the present expedition.

Itt is ordered, that the major of Suffolke forthwith issue out his warrants for the impressing one hundred able souldjers, compleatly furnished w<sup>th</sup>

armes & amunition, to be put vnder the comānd of Major Thomas Sauage, for 1675-6.  
y<sup>e</sup> service of the country.

21 February.

In pursuance of the order of the comission<sup>r</sup>s for the Vnited Colonjes for the present expedition, it is ordered, that forty men be impressed foot souldiers, and trooper seventy two; to be rayseed, in Essex thirty, Norfolke tenn, Three County Troope ten, Suffolke tenn, & Midlesex tenn, to be all fitted w<sup>th</sup> long armes, & the 40 foot souldiers to be raised, twenty out of Essex, twelve out of Suffolke, eight out of Midlesex; all w<sup>ch</sup> will compleat those already rayseed to the nomb<sup>r</sup> of six hundred men.

It is ordered, that James Trowbridge, of Cambridge village, be leiftenānt to the ffoote company there.

Left Griffin Crafts, of Roxbury, request to laye downe his comission is granted, & Sarjant Samuel Ruggles is appointed to be leften<sup>t</sup> to y<sup>e</sup> company in Roxbury in his place.

It is ordered, that Left John Price & Ensigne John Higginson, leiftenānt & ensigne to the late Cap<sup>t</sup> Gardiners company, haue their comissions for those places forthw<sup>th</sup>.

It is ordered, that Rob<sup>t</sup> Dutch & Joseph Mansfeild, damāged in their clothes and armes, as they make it appeare what it was to the comitte<sup>e</sup> for the warr, shall haue allowance for the same, (by y<sup>e</sup> fire at M<sup>r</sup> Smiths).

\*In answer to y<sup>e</sup> peti<sup>c</sup>ōn of seuerall inhabitants of Milton, it is ordered, that all the inhabitants of Milton not on publicque service be required to attend their duty in that toune, perfecting the fortification that are appointed by the comitte<sup>e</sup>s of militia there, & y<sup>t</sup> no person fitt for the deffence of the place to w<sup>th</sup>draw themselues w<sup>th</sup>out liberty from this Court or the council first obteyned, on p<sup>e</sup>nalty of such suffering punishment as souldjers are liable vnto that w<sup>th</sup>draw from their coulo<sup>r</sup>s; & the comitte<sup>e</sup> of militia are ordered to require those that are w<sup>th</sup>draune to returne to their places againe.

[\*71.]

Courts ans<sup>r</sup> to  
Miltons peti-  
cōn.

In ans<sup>r</sup> to the petition of John Griffyn, fferryman of Hauerill, for exemption from watching & warding in this troublesome time, y<sup>t</sup> he may attend the countrys service by day & night, the Court grants his request.

Ferryman of  
Hauerills ex-  
emption, &c.

It is ordered, that Leiftenānt Elias Styleman doe succeed Captaine Richard Cutts, deceased, in the comānd as captaine of the fort on the great island in Piscataqua Riuer.

Elias Styleman  
cap<sup>t</sup> of y<sup>e</sup> fort  
at Portsmouth.

It is ordered, on request of Cap<sup>t</sup> Scyll, that the comitte<sup>e</sup> for the warr doe forthw<sup>th</sup> send twenty pounds of tobacco & three gallons of ru<sup>m</sup>e for the supply of the company that now resides at Lancaster.

Tobacco &  
ru<sup>m</sup>e for Cap<sup>t</sup>  
Scylls compa.

It is ordered, that six men more be added as a guard to the pouder & grice mills at Naponset, in manner as in the former order is provided.

Watchmen to  
y<sup>e</sup> pouder mill,  
according to  
form<sup>r</sup> order.

1675-6.

21 February.  
A head quarters  
to be built at  
Quoboag.

A warrant was ordered to be issued out to y<sup>e</sup> comitte for y<sup>e</sup> army to send away y<sup>e</sup> prouissions ordered to be at the head quarters at Marlborow by y<sup>e</sup> last day of y<sup>e</sup> weeke; also, to send vp some liquors & spice, w<sup>th</sup> a competency of canvas for a tent to shelter the prouissions & amunition, as also the carpenters tooles, nayles, &c, to build a quarter at Quoboag, or elsewhere, w<sup>ch</sup> was don.

Jame Brayden  
comissy, & his  
ordrs.

Instructions for M<sup>r</sup> James Brajden, appointed comissary for y<sup>e</sup> army.

1. First, you are to speed away to Marlborow, & there to choose the fittest house yow cann finde to lodge the prouissions & amunitions that is sent vnto yow, & to cause it to be carefully secured & kept for the vse & service of the army as there shall be occasion.

2. Yow are to declare to the cheefe comānder on the place that it is the Courts pleasure that he affoord yow a sufficient guard for the securing the magazine.

3. Yow are to take such assistance as may be necessary to performe the service comitted to yow, & to deliuer forth what is comitted to yow for the vse & service of the army, & keeping carefull & particular accounts of all matters, & yeilding obedience to such orders as yow shall receiue from the comānder in cheife, or comitte for the warr, and give intelligence to the council or comitte for y<sup>e</sup> army of all matters requisit for the publick service respecting yo<sup>r</sup> place.

Order for Ma-  
jor Sauage to  
be on his  
march.

The Court, vnderstanding that our confederates of Connecticut are vpon their march in order to a conjunction with our forces at the place appointed, doe order, that Major Sauage, w<sup>th</sup> our proportion, shall advance w<sup>th</sup> all expedition towards them, the remajnder of our sixe hundred agreed vpon being ordered to defend the frontiers in the meane time.

25 Feb<sup>r</sup>, 75.  
Major Sauage  
his comission.  
His instruc-  
tions are on  
file.

The Court granted Major Savages his comission, and was: Whereas yow are appointed by the Generall Court comānder in cheife of all the forces that shall be deliuered to yow at Marlborow for this present expedition against the ennemy, yow are hereby authorised to take vnder yo<sup>r</sup> care & conduct the forces aforesajd, both horse & floote, comāding all officers & souldiers to obey yow as their comānder in cheife, whom yow are to improove, according to your best skill & abillity, for our defence & the distressing & destroying the ennemys, by all acts of hostility; & this shall be yo<sup>r</sup> warrant.

Jn<sup>o</sup> Curtice a  
guid to o<sup>r</sup> fees  
& 6 Indian  
scouts.

This Court doe order Jn<sup>o</sup> Curtice, of Roxbury, to be a guide to the forces now going forth, & he is impowered to take sixe Indians from the island for



his assistance, w<sup>th</sup> their armes, some of w<sup>ch</sup> Indians may be improoved for 1675-6.  
spies as the comānder in cheife shall appoint.

In ans<sup>r</sup> to the petition of Sa<sup>m</sup> Warner & Thomas Parsons, it is ordered, 25 February.  
that they be pajd w<sup>t</sup> y<sup>e</sup> last Court allowed them by the Tresurer of the T<sup>re</sup>s<sup>u</sup>r<sup>y</sup> to pay  
country, according to the minde & intent of sajd order. Warner & Par-  
son.

\*M<sup>r</sup> Roulison not being disposed to accept of the motion of y<sup>s</sup> Court to [\*72.]  
goe out w<sup>th</sup> the forces as preacher, it is ordered, that M<sup>r</sup> Samuel Nowell be M<sup>r</sup> Sam. Now-  
intreated to goe vpon that service, & that he be furnished w<sup>th</sup> such conven- ell preacher to  
iencies as he shall stand in neede of for his incouragem<sup>t</sup>. y<sup>e</sup> army.

M<sup>r</sup> Jn<sup>o</sup> Clark is appointed chirurgion for y<sup>s</sup> service.

M<sup>r</sup> Jn<sup>o</sup> Clarke  
chirurgion.  
Carpenter to  
build head  
quarters at  
Quoboag.

Itt is ordered, that the comittee of the army procure either Jn<sup>o</sup> Brewer,  
of Sudbury, or Jn<sup>o</sup> Coolidge, of Water Toune, to goe vp w<sup>th</sup> the army to build  
a house or houses for lodging and shelter of prouissions, affinition, & wounded  
men, or other souldjers; also, to send carpenters tooles for six men, nayles of  
all sorts, w<sup>th</sup> hookes & hinges for doores & locks, & of such sort as the cheife  
carpenter shall appoint.

It is ordered, on request of Cap<sup>t</sup> Jn<sup>o</sup> Jacob, his house standing on the Cap<sup>t</sup> Jacobs  
passe betweene this colony & Plymouth be forthwith garrisoned, & such as are house to be  
his nearest neighbours are to joyne therein. garrisoned, &c.

It is ordered, that Benjamin Gillam be lciftenñt, & Thomas Sauage en- Left & ensigne  
signe, to Major Sauage his company. to Major Sau-  
age his compa-  
ny.

It is ordered, that Cornet John Whiple be cap<sup>t</sup> to the troope of horse Jn<sup>o</sup> Whiple  
now raysed, & Corporall W<sup>m</sup> Bond leiu<sup>t</sup>, in case he can be had; if not, it is cap<sup>t</sup> of y<sup>e</sup>  
left to y<sup>e</sup> cap<sup>t</sup> to appoint one for that office. troope.

Major Geñl Denison is ordered to repaire vnto Marlborow, there to order Major Gen<sup>l</sup>  
& dispose the souldi<sup>r</sup>s vnder their seuerall captaines, according to the order of ord<sup>r</sup>.  
the Generall Court, taking care that those who goe forth be able & fitt for the In No. 330.  
sajd march, & that the comissarys doe send along w<sup>th</sup> them the a<sup>n</sup>n<sup>i</sup>tions & pro-  
uissions, and that the troopers, & so many of the foote souldiers as can be in a  
readines, doe march away on the second day of the weeke, so as that they may  
be at Quoboag on the third day, according to the aggreement of the comis-  
sioners. The supernumerary souldiers are to be disposed for the garrisoning Sup<sup>er</sup>numerarys  
of those frontie<sup>s</sup> townes as the majo<sup>r</sup> geñll shall judg meet, excepting only left to his care,  
such as for just reason or bodily infirmity he shall dismiss, speciall respect &c.  
being had to the garrison at Marlborow.

Whereas it pleased y<sup>e</sup> honoured council, on weighty reasons, to adjourne Order ab<sup>t</sup>  
the County Court, w<sup>ch</sup> should haue binn kept at Hampton in October last, to Court to be  
the 2<sup>d</sup> Tuesday in Aprill next, which is the day of keeping Court at Salisbury kept at Salis-  
appointed by law, it is ordered, that this present yeare being a tyme of great bury.



1675-6. trouble & charge, that the Court appointed at Hampton the 2<sup>d</sup> third day in Aprill next shall take cognizance of all matters, civill & criminall, proper to that county, and that the Court at Salisbury be passed by for this yeare, any law or custome to the contrary notwithstanding, provided that all attachments that haue been, or shall be, timely served for Hampton or Salisbury Court shall be of force at y<sup>e</sup> said Hampton Court.

Capt<sup>s</sup> & leif<sup>t</sup> commissions, vide file.

The Court granted commissions to capt<sup>s</sup> & leif<sup>t</sup>s of horse & ffoot. Copies are on file.

Benja. Gibbs to be capt<sup>t</sup> of a troope of horse in case, &c

Whereas Capt<sup>t</sup> Benj<sup>a</sup> Gibbs is commissioned for the service of the country as commander of a troope of volunteires, it is ordered by this Court, that he & his troope shall be quartered, at the charge of the country, in the seuerall townes in this jurisdiction, whither he shall march vpon the said service; and in case of want of horses, liberty is granted him to apply himself to the committees of militia, or cheife officer of said town, who haue hereby power granted them to make him convenient & necessary supply, provided it be only at such times as he shall be imployed by the order of the Go<sup>o</sup> or counsell in any speciall trust, or otherise improved by the commander in cheife of our forces, his expences not exceeding the ordinary allowance.

Courts ord<sup>r</sup> to raise nine rates in Yorks.

It is ordered, that the Tresurer of the country issue out his warrants to y<sup>e</sup> seuerall selectmen of the seuerall townes in Yorkshire forthwith, according to law, to make & raise nine speciall country rates, as haue binn rayised in y<sup>e</sup> colony, for defraying of the charges of y<sup>e</sup> warr, & the rates so rayised to be speedily collected & payd to y<sup>e</sup> Tresurer of y<sup>e</sup> county, w<sup>ch</sup> y<sup>e</sup> Tresurer of y<sup>e</sup> country shall appoint

Courts ord<sup>r</sup> to rayse 9 rates in Douer & Portsmouth.

It is ordered, that the committees of militia in the townes & county of Douer & Portsmouth shall & hereby are required & impowred to make nine seuerall rates on the inhabitants thereof, according to law, towards the responding the charges of the warr, to be collected & speedily payd in to the Tresurer of that county, to ans<sup>r</sup> the end of the said committee, & be disposed of accordingly; and the committee of militias are by themselves, or their order, to audit all accompts of the charges expended in this warr.

This Court is dissolved.

*\*At a Generall Court of Election, held at Boston, the 3<sup>d</sup> of May,* 1676.

3 May.

[\*73.]

**J**N<sup>o</sup> LEUERET, Esq<sup>r</sup>, was chosen Go<sup>v</sup>no<sup>r</sup> for the yeare ensuing, & tooke his oath.

Sa<sup>m</sup> Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>no<sup>r</sup>, & tooke his oath.

Symon Bradstreet was chosen Assistant, Esq<sup>r</sup>, tooke his oath.

Daniel Denison, Esq<sup>r</sup>, Assistant & Majo<sup>r</sup> Generall, tooke his oaths.

Richard Russell, Esq<sup>r</sup>, was chosen Assistant & Tresurer, & tooke the oaths.

Thomas Danforth, Assistant, & 1<sup>st</sup> Co<sup>m</sup>mission<sup>r</sup> of the colonys, Esq<sup>r</sup>.

W<sup>m</sup> Hathorne, Assistant, Esq<sup>r</sup>, tooke his oath.

Jn<sup>o</sup> Pynchon, Assistant, Esq<sup>r</sup>.

Edward Tyng, Assistant, Esq<sup>r</sup>.

W<sup>m</sup> Stoughton, Assistant, & 2<sup>d</sup> Co<sup>m</sup>mission<sup>r</sup> for y<sup>e</sup> colonjos, Esq<sup>r</sup>.

Thomas Clark, Assistant, Esq<sup>r</sup>.

Joseph Dudley, Assistant, Esq<sup>r</sup>.

Edward Rawson was chosen Secretary, & tooke his oath.

Cap<sup>t</sup> George Corwin, M<sup>r</sup> Hen<sup>r</sup> Bartholmew, Salem.

Cap<sup>t</sup> Lawrence Hamond, M<sup>r</sup> Thomas Graues, Charls Towne.

Cap<sup>t</sup> Hopestil Foster, Left Jn<sup>o</sup> Capen, Dorches<sup>t</sup>.

M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Th<sup>o</sup> Clarke, Boston.

M<sup>r</sup> W<sup>m</sup> Parkes, Roxbury.

Cap<sup>t</sup> Hugh Mason, Water Towne.

M<sup>r</sup> Edward Oakes, M<sup>r</sup> Joseph Cooke, Cambridge.

Ens<sup>i</sup> Jn<sup>o</sup> Fuller, Lynn.

Majo<sup>r</sup> Sa<sup>m</sup> Apleton, M<sup>r</sup> W<sup>m</sup> Goodhue, Ipswich.

M<sup>r</sup> Sa<sup>m</sup> Plumer, Newbery.

M<sup>r</sup> Thomas Dyer, Weymouth.

M<sup>r</sup> Nath Beales, Hingham.

M<sup>r</sup> Peter Bulkley, Concord.

Cap<sup>t</sup> Daniel Fisher, Dedham.

M<sup>r</sup> Sa<sup>m</sup> Dalton, Hampton.

Cap<sup>t</sup> W<sup>m</sup> Davis, Springfeild.

M<sup>r</sup> Maximillj: Jewet, Rouley.

M<sup>r</sup> Humphry Davy, Left W<sup>m</sup> Johnson, Wooborn.

M<sup>r</sup> Samuel Thompson, Brantry.

1676.

3 May.

Mr Henry Palmer, Haverill.  
 Capt John Wayte, Maulden.  
 Mr John Dodge, Beverly.  
 Mr James Emery, Kittery.  
 Mr Anthony Nutter, Douer.  
 Mr John Cutts, Portsmouth.  
 Mr Edward Rishworth, Yorke.  
 Mr W<sup>m</sup> Symonds, Wells.  
 Left W<sup>m</sup> Clarke, Northampton.  
 Mr Peter Tilton, Hadley.  
 Chelmsford: Left Thō Hinchman.

Mr Peter Bulkley was chosen Speaker for this session.

Capt John Hull was chosen Treasurer by the whole Court mett togethr, in y<sup>e</sup> roome & steed of the late Richard Russell, Esq<sup>r</sup>, for this yeare ensuing, & tooke his oath to y<sup>t</sup> place belonging 18<sup>th</sup> May, 1676.

As attests

EDWARD RAWSON, Secre<sup>t</sup>.

[\*74.]

Order impow-  
 ering select-  
 men to hire  
 men to man-  
 age, &c.

\*Whereas the present warr necessarily calls forth sundry men into the country<sup>s</sup> service whose employment & livelyhood consists in husbandry, the proppogating whereof in our respective townes for the raysing of corne and provisions is of great necessity for our subsistance, it is therefore ordered by this Court, that the selectmen of the respective townes doe take effectuall care, and are hereby impowred, to impresse men for the mannagement and carrying on of the husbandry of such persons as are called of from the same into the service, who haue not suffieient help of their oune left at home to mannage the same, who shall be allowed eighteen pence a day for their sajd worke, to be paid by the respective persons for whom they worke, provided it doe not appeare that any persons employed haue been vnfaithfull in their labour, in w<sup>ch</sup> case the selectmen shall haue power to deduct from their wages such proportion as they shall see meete.

Souldiers re-  
 fusing to make  
 appearance to  
 serve y<sup>e</sup> coun-  
 try, ffoote sould-  
 iers to pay 4<sup>u</sup>  
 & troopers 6<sup>u</sup>.

This Court, taking into consideration the great disappointment the country hath suffered by reason of non appearance of souldjers impressed for seuerall expeditions, doe judge meete that euery person impressed as a souldier for the service of the country, and neglecting to make his appearance according to order, euery such ffoote souldier shall pay the sume of fower pounds, and euery trooper shall pay the sume of sixe pounds, and if their neglects or refusall be accompanied w<sup>th</sup> refractorines, reflection or contempt vpon author-

ity, such persons shall be punished with death or some other greivous punishment.

1676.

3 May.

And the comitte of militia in the seuerall townes where the offence is committed are heereby impowred and required to call before them all such as shallbe delinquents, as is aboue expressed, and on conviction of their neglect, to give warrant to the constable to levy the sajd fines, which sajd fines shallbe improved to purchase armes for the townes vse, provided it shallbe in the power of the council, vpon petition of any person agreived, and just reason alleadged and prooved, to make abatement of the sajd fines as in their wisdom and discretion they shall judg meet. And it is hereby ordered, that the return of all \*neglects and defects in the cases aforesajd be sent to the comitte of militia in the seuerall townes, who are heereby required to take care for the strict execution thereof.

[\*75.]

This Court, being informed that sundry persons, who, through the calamitie of the warr, are forced to remoove to other places, doe account themselves free from duty in those places, doe order, that all such persons so remooving shall stand, in respect of charges and duty to the publicke, in the same capacite w<sup>th</sup> the proper inhabitants amongst whom they make their abode or residence.

Order declaring the duty of such as remoove, to be y<sup>e</sup> same w<sup>th</sup> the inhabitants.

Whereas it appeares in the bills of disbursments, stated by the militia of the seuerall townes, & transmitted to the Treasurer, there is a great disproportion betweene toun & toun in the prices set for the hire of horses in the countrys service, for the preventing the like inconvenienc for the future, it is ordered, that the stated price for the hire of a horse for the countrys vse shallbe one shilling sixe pence in money p weeke throughout this jurisdiction.

Stated price for horse hier for the countrys service, 18<sup>d</sup> p<sup>r</sup> weeke.

For the preservation of the frontjer townes, it is ordered, that each of the sajd townes be, by the comitte of militia, divided into so many partes, as a meete number may each day, by turnes, be sent forth vpon the scout, w<sup>th</sup> whom a party of Indians, at the charge of the country, shallbe joyned; that the sajd scouts be constantly mannaged by a suiteable comāder in each of sajd townes, appointed by the sajd comitte, who shallbe paid his wages by the country; and for the encouragement of sajd townes, and more effectuell carrying on of this worke, that the souldiers abroad in service apperteyning to sajd townes be returned home, and they freed from the impresse during their attendance to the service aboue sajd for their owne & the countrys defence; and that the frontier townes be accounted Meadfeild, Sudbury, Concord, Chelmsford, Andever, Hauerill, Exiter; and for their further security, it is hereby declared to be the duty of euery cheife comāder or officer present in

Courts order as to frontier townes.



1676.

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any toune, vpon notice given him of any assault or distresse of any neighbour toune, to send forthwith what ayde cann be spared w<sup>th</sup> safety at home for the security of the distressed.

[\*76.]

Toune of  
Salems pow<sup>r</sup> to  
impose 10<sup>th</sup> fine  
for refusall of  
constables  
office.

\*The Court being informed of the difficulty the toune of Salem meets w<sup>th</sup>all to finde persons that will serve in the constables office, by reason of the smalenes of the fine imposed by lawe on such as doe refuse, it is ordered by this Court, that it shallbe lafull for the sajd toune henceforth to impose, a fine of ten pounds vpon such as doe refuse to serve in the office of constable there, any law to the contrary notw<sup>th</sup>standing.

Comitte to  
consider of  
wounded  
souldjers peti-  
cons, &c.

In ans<sup>r</sup> to the peti<sup>con</sup> of John Braudon, a wounded souldjer, for releife, there being many in like nature that stand in like neede, the Court jndgeth it meet to appoint M<sup>r</sup> Edward Ting, M<sup>r</sup> Joseph Dudley, Cap<sup>t</sup> Hugh Mason, & M<sup>r</sup> W<sup>m</sup> Parkes to be a standing comitte to consider of peti<sup>cons</sup> of this nature, and make their report of what they judge meet to be donn to this Court, and to continue till the Court take further order.

Order phibbit-  
ting trade w<sup>th</sup>  
y<sup>e</sup> Indians on  
penalty of  
confiscation of  
estate, or ban-  
ishment con-  
v<sup>t</sup>, &c.

Whereas, by the late law prohibbitting trading houses & trading w<sup>th</sup> the Indians, except in open shops & townes where goods are sould unto the English, advantage is given to persons by that exception to carry on an vnlimited trade w<sup>th</sup> the Indians, which may proove of dangerous consequence to the publicke weale, it is therefore ordered by this Court & the authority thereof, that all trade w<sup>th</sup> the Indians be prohibbited for the future; and it is hereby prohib- bited, that no person whatsoever w<sup>th</sup>in this jurisdiction presume to trade w<sup>th</sup> any Indian or Indians, directly or indirectly, by themselues or others, any comodity whatsocuer, vpon p<sup>en</sup>alty of forfeiture of their whole estates for each offence, being convicted thereof before lawfull authority, one third to the informer, and the remajnder to the country; provided, that this law doe no way prohibbit the necessary supply and releife to such Indians and their fam- iljes as are by order employed in the country<sup>s</sup> service, or as are otheruise vnder the speciall care & inspection of authority, so that such supply & releife to these Indians be made as the Court or council shall allow; or if no estate, then to be bannished vpon payne of death; and that by such as are vnder \*the speciall care & inspection of authoritje be meant such as, being peaceably disposed, doe come in, and, being appointed the place, doe liue w<sup>th</sup>in the vejw, & vnder the eye & protection, of the English.

[\*77.]

Selectmens  
power to take  
care for the  
distracted.

Whereas there are distracted persons in some townes, that are vnruely, whereby not only the familjes wherein they are, but others, suffer much da<sup>m</sup>age by them, it is ordered by this Court and the authoritje thereof, that the select- men in all townes where such persons are are hereby impowred & injoynd to take care of all such persons, that they doe not damnify others; and also

to take care & order the management of their estates in the times of their distemperature, so as may be for the good of themselves & families depending on them, and the charge to be paid out of the estates of all such persons where it may be had, otheruise at the publick charge of the tounes such persons belong unto.

1676.

3 May.

This Court, considering the great inconveniency that will ensue, if persons be left at liberty to w<sup>th</sup>draw from the frontier tounes that are yet standing out, thereby enfeebling the remote parts of the country, and tending to the damage of the whole, doe therefore order, that it shall not be in the liberty of any person whatsoeuer, who is by law enjoyned to trajne, watch, ward, or scout, to leaue the toun he is an inhabitant of, vpon any pretence whatsoever, w<sup>th</sup>out liberty first obteyned from the com<sup>it</sup>tee of militia in the toun to which he doeth belong, or in case of their denyall, then by the council of the com<sup>on</sup>-wealth, vpon the p<sup>o</sup>enalty of twenty pounds, except within one weeke after they be required by the com<sup>it</sup>tees of militia to returne to their station, they shall accordingly returne, which summe of twenty pounds, vpon certificat from the com<sup>it</sup>tees of militia to the County Court of that sheire, or to any two magistrates, shall, by their warrant, be forthwith levyed vpon the estates, or for want thereof, vpon the persons of such delinquents, to be disposed of, either to such as will come vnto the sajd toun to strengthen them, or towards the bearing the charge of the warr, or otherwise, as those that stand it out shall see meete; and it is further ordered, that no person capeable to assist in securing the \*garrison he belongeth to shall absent himself, by going out of toun, w<sup>th</sup>out acquainting of and liberty obteyned from the com<sup>an</sup>der of sajd garrison, vpon p<sup>o</sup>enalty of fiue shillings for each offence in that kinde, that so the danger to w<sup>ch</sup> the garrisons in the respective tounes are exposed too by frequent absence of such as are for the defence of them may be p<sup>re</sup>vented.

[\*78.]

For defraying the charges already expended vpon the warr, & other charges arising on the further prosecution thereof, it is ordered by this Court and the authority thereof, that there shall be ten single country rates forthwith assessed & collected according to law, to be payd in specie as formerly, and to abate one quarter part to any that shall pay money: also that the selectmen be allowed & impowred to rate such by will and doome as are knowne to be men of ability, whose estates in a great measure lye out of the reach of the law, being vndiscoverd w<sup>th</sup>out abatement, on account of any mans paying for importation of goods; and in case of greivance by ouer valuation, releife to be given to such in such a way as the law provides, provided that such of the frontjer tounes as are considerably weakned in mens persons or estates by the enemy, be allowed a meet abatement of their proportions in the rates, their

Ten rates to  
issue out for  
defray<sup>ing</sup> of  
publick<sup>e</sup> ex-  
pences, &c.

1676.

3 May.

conditions being by their deputjes or others appointed represented to this Court at their next sessions; and where any persons in any of the townes haue disbursed for the publicque relating to the warr, they shallbe allowed and paid the same out of the rates of such townes where they dwell, and that this shallbe in the roome of all bills for assessing of rates, passed this sessions of Court.

Courts instructions to Seth Perry going to the Indians.

Instructions for Mr Seth Perry, our messenger to the sachems at <sup>Wachusets.</sup> Watchusets.

Yow shall, in the company of Tom Dublett, the Indian guide, repaire to Concord on Saturday, &, on Monday following, by his guidance, goe vp to the Indians quarters, and there deliuer the letter to the said sachems, desiring their speedy answer.

[\*79.]

2. And if they shall demurr at the deliery of our captives before the treaty, yet yow shall somewhat insist thereon, as a \*a reall testimony of theire true meaning, to be for a cessation or truce w<sup>th</sup> the English; yet, if they shall thinke that too hard on their part, vnless a peace should be concluded & agreed, yow shall not vpon that account only breake off if they accept of a treaty vpon the whole matter conteyned in the letter.

3. If they also demurr at the place of meeting, or coming to Boston after your presenting to them the conveniency of Boston firstly, or the other places named, together w<sup>th</sup> the reallity of their safe conduct, yett yow shall not therevpon breake off; if they doe accept of Marlborow or Groaton for the place, they coming w<sup>th</sup> yourself, or at a day appointed & agreed on by yow, provided it be w<sup>th</sup>in fower dayes after your departure from them, w<sup>th</sup> a white flag, w<sup>th</sup>out armes, as wee send to them, which yow may assure them shallbe w<sup>th</sup> the like security.

By y<sup>e</sup> Court.EDW: RAWSON, Secre<sup>t</sup>.

Courts letter to the Indian sagamors.

5 May.

These for the saggamore about Watchusets, Phillip, John, Sam, Washaken, Old Queen, & Pomhom.

Wee received your letter by Mr John Hoare, who went vp to yow w<sup>th</sup> the messengers, Tom & Peeter, being sent to yow from Mr Roulandson. Our expectations was, that yow would lett vs know vpon what condition yow would release to us all the English captives among you. Our minde is not to make bargaine w<sup>th</sup> yow for one & one, but for altogether. Vnto this, which was our cheife buisnes, yow send us no answer, which wee doe not take kindly, for this way spends much time. In your letter to us yow say yow desire not to be hindred by our men in your planting, pmising not to doe damage to our



tounes. This is a great matter, and therefore cannot be ended by letters, without speaking one w<sup>th</sup> another; wee haue therefore sent to yow once more, to lett yow know our minds w<sup>th</sup> all speed. If yow will send us home all the English prisoners, it will be a great testimony of a true heart in yow to peace, which yow say yow are willing to haue; and then, if any of your sachems and councello's will come to us at Boston, or els to Concord or Sudbury, to meet with such cheife men as wee shall send, wee will speak w<sup>th</sup> yow about your desires, and with true heart deale w<sup>th</sup> yow. This way is the best way; therefore send speedily to us, whither yow accept it or no. If yow vnderstand not our full minde, Seth Perry, whom we now send w<sup>th</sup> this letter, will declare it more plainely. And wee doe hereby grant & promise, that all such as yow shall imploy in a treaty w<sup>th</sup> us shall be safe & free to come & goe, on condition that our messengers also shall be safe w<sup>th</sup> yow.

1676.

5 May.

By the Court.

EDWARD RAWSON, Secre<sup>t</sup>.May the 5<sup>th</sup>, 1676.

\*Cap<sup>t</sup> Daniel Gookin was by the whole Court chosen & appointed to be sarjant majo<sup>r</sup> of the regiment of Midlesex.

[\*79<sup>a</sup>.]

Cap<sup>t</sup> Gookin  
made sarj<sup>t</sup> ma-  
jor of Midle-  
sex, & had his  
comission.

It is hereby ordered, that the execcuto's of the late Tresurer, Rich<sup>rd</sup> Russell, Esq<sup>r</sup>, be impowred to demand, account for, receive, & give discharge for all such sumes of money due vpon rate, or otherwise, contracted before the third of May last past, and to pay all debts, &c, due before such time from the country; all such debts & creditts properly belonging to their account w<sup>th</sup> y<sup>e</sup> country.

It is ordered by this Court, that M<sup>rs</sup> Mary Russell & M<sup>r</sup> James Russell, execcuto's of the late Tresurer, Richard Russell, Esq<sup>r</sup>, deceased, be, and hereby are, ordered & required to receive the arrearages of all rates, customes, & fines comitted to the sajd Tresurer to gather in his lifetime, and to require of all constables and persons concerned, or an account & payment thereof, and to impose the fines for neglect as the Tresurer might & ought personally to haue donn.

Ord<sup>r</sup> to im-  
pou<sup>r</sup> y<sup>e</sup> execu-  
tors of Rich<sup>d</sup>  
Russell, Esq<sup>r</sup>,  
Tresur<sup>r</sup>, to  
gather vp y<sup>e</sup>  
rates, &c.

Majo<sup>r</sup> Thomas Clarke, M<sup>r</sup> Anthony Stoddard, M<sup>r</sup> Humphry Davy, Cap<sup>t</sup> Laurence Hamond, M<sup>r</sup> Henry Bartholmew, & Cap<sup>t</sup> Jn<sup>o</sup> Richards are appointed a comitte to audit the whole accounts of the late country Treasurer, and any three of them, w<sup>th</sup> Majo<sup>r</sup> Clarke, shall haue full power to conclude & agree concerng all matters refferring to the sajd acc<sup>o</sup>t, & to make returne thereof to the next session of this Court.

Comitte for y<sup>e</sup>  
Tres<sup>r</sup>'s acco<sup>'s</sup>.

Majo<sup>r</sup> Thomas Clarke, M<sup>r</sup> Humphry Davy, Cap<sup>t</sup> Laurence Hamond, and

Comitte to in-  
spect the co-  
mittee & Tresu<sup>r</sup>  
for ye warrs ac-  
co<sup>'s</sup>, &c.



1676.

5 May.

Mr Anthony Stoddard are nominated & appointed a committee forthwith to conferr and advise w<sup>th</sup> the Tresurer & committee for the warre, and to inspect their accounts, of both receipts and disbur<sup>s</sup>, and what is yet in the treasury, for a present supply of what is wanting in order to the carrying an end of the warre, & supply of those that are in present necessity.

Provisions for  
the Indians at  
the island, &c.

This Court, considering the present distressed condition of the Indians at the island, they being ready to perish for want of bread, & incapacitated to make provision for the future, doe order, that there be a man w<sup>th</sup> a boate provided, who, w<sup>th</sup> some of the Indians, shall be employed in catching of fish for their supply, and that if any of the English townes doe move for some of them \*to employ in scouting, labouring, or otherwise, with some of their own men, (the said townes bearing the charge,) they shall be accommodated in that respect, the which improvement of them may tend much to their supply, & much more to our security, and that the rest may be improved in planting the island or islands where they now are.

[\*80.]

Order to con-  
tinue Quoboag,  
&c, & for their  
provisions.

The Court judgeth it meet that the garrison at Quoboag be continued there, and that they have suitable provision sent to them, and to that end have treated w<sup>th</sup> Lieut<sup>e</sup>nt W<sup>m</sup> Clarke for a supply to be made from those townes upon the river, which will be more easily effected then to be sent from hence, and doe therefore order & impower the said Lieut<sup>e</sup>nt Clarke w<sup>th</sup> all possible speed to procure the same; and Capt<sup>r</sup> Turner is ordered to appoint a sufficient guard for the provisions above said to Quoboag.

Order for y<sup>e</sup>  
dismissing of  
the troopes, &c.

Whereas the council, upon intelligence of the approach of the enemy w<sup>th</sup> great numbers, ordered fower troopes speedily to advance, which having bin kept out about a weeke, and the troopers being most of them masters of families, and have not yet planted, and there being at present no knowne opportunity of service, it is hereby ordered, that the said troops (having first made up their complement to Capt<sup>r</sup> Hinchmans & Lieut<sup>e</sup>nt Flood, which were ordered by the council) be licensed to depart to their severall habitations, to attend their own occasions for a weeke, and till they receive further order.

Order for pres-  
ent provisions  
for Quoboug.

The garrison of Quopaug being out of provisions, and the supply ordered from Hadley not being likely to be w<sup>th</sup> them for their present reliefe, it is ordered, that forthwith provisions for one weeke be speedied up to them.

Left Ephraim  
Sauage to  
command the  
garrison at  
Quoboug, &c.

There being a present necessity to send up some provisions to Quoboag, for the reliefe of the garrison, as also a person to command in stead of M<sup>r</sup> Graues, it is hereby ordered, that Sarjant Ephraim Sauage doe march up w<sup>th</sup> the provision now sent, and take the command of the said garrison, and that the infirme or sick men there be dismissed, provided thirty souldjers be there kept; and for

the conveyance of the sajd prouission, it is ordered, that the captaine of Sudbury doe send vp a sufficient guard for the sajd prouissions to Marlborow, and is heereby empowred to presse sufficient horses to carry the sajd prouissions to Quoboag, and that Leifteñnt Jacob doe, from Marlborow, send vp a good guard w<sup>th</sup> the sajd prouissions to Quoboag, and vpon \*theire retorne, shall draw all his men into one garrison, which hauing donn, & leaving thirty men there, he is licensed to retorne home w<sup>th</sup> such whose occasions are most pressing, or that are most vnfit for service, appointing some meet person to comānd there till further order be taken therein.

1676.

5 May.

[\*81.]

It is ordered, that the majō of Suffolke issue out his orders for the comitte of militias raysing of their seuerall proportions of eighty able souldjers, well & compleately armed, & furnished w<sup>th</sup> amñition and sixe days prouission for each souldier ; —

Order requiring y<sup>e</sup> major of Suffolke to rayse 80 souldiers, &c.

That the major of Essex regiment issue out his orders for the like proportion of men, & so accomodated in all respects ; —

Major of Essex y<sup>e</sup> like number.

That the major of Midlesex issue out his orders for seventy men in all respects out of y<sup>t</sup> regiment so accomodated ; —

Major Midlesex to rajse 70

That the major for Norfolke issue out his orders for thirty men, as aboue, out of y<sup>t</sup> regiment ; —

Major Norfolke 30.

That the major genll issue out his orders for raysing of eighty troopers, compleately armed, &c, w<sup>th</sup> amñition & prouission, out of the seuerall -troops in Essex, Suffolke, Midlesex, & Norfolke, & Three County Troope, who is also desired & impowred to repaire to Concord on the last of this moneth at y<sup>e</sup> randevous, & see that the sajd numbers be compleately there, and fitted in all respects for the country<sup>s</sup> service, & what he shall finde either absolutely vnfit or supernumerary, it is left to his wisdom to order & dismiss, prouided it be proportionable to the numbers sent from the tounes ; —

Major gen. to rayse 80 troopers.

All to be at Concord, the randevous, by 30 May.

And that the seuerall major<sup>s</sup> send out their warrants for the impressing of their proportion of one hundred able & fitt horses for baggage horses, to carry the prouissions to the randevous, by the thirtieth instant.

100 horses to be raised by y<sup>e</sup> seu<sup>ll</sup> majors for carrying baggage, &c.

It is also ordered, that M<sup>r</sup> John Faireweather, M<sup>r</sup> Jn<sup>o</sup> Morse, & M<sup>r</sup> Jn<sup>o</sup> W<sup>ms</sup>, comissary<sup>s</sup>, forthwith, by contract w<sup>th</sup> men, procure & prouide sufficient prouitions of all sorts proportionable for five hundred men for one month, and to be at Concord by y<sup>e</sup> 30<sup>th</sup> instant, charging bills on y<sup>e</sup> Treasurer, to be paid therefore, & w<sup>t</sup> p<sup>t</sup> thereof vnpaid to pay interest after six pounds p cent for the payment thereof ; —

Comissarys order to prouid prouissions for 500 men.

To chardg bills on the Treasurer for paym<sup>t</sup>, to pay 6 p<sup>r</sup> cent till p<sup>d</sup>.

And that Major Gookin and Cap<sup>t</sup> Samuel Hunting prouide & procure a seventy able Indians, fitt & ready, by the 30<sup>th</sup> instant, to march out w<sup>th</sup> the forces on the country<sup>s</sup> service.

Major Gookin & Cap<sup>t</sup> Hunting to raise 70 Indians, &c.

1676.

5 May.

[\*82.]

Order for In-  
djans at Long  
Islands re-  
moved.

To Brush Hill,  
&c, Patucket,  
&c, Natick, &c.

\*Proposalls refferring to the Indians at Long Island.

1. That they be immediately remooved to convenient places for their planting, i. e., Ponkapaug Indians at Brush Hill, or as neere as they may w<sup>th</sup> safety to their oune planting feilds, and that they place their wigwams in or neere some English garrison there;—

Nashobah Indians & a part of Natick Indians to Patucket; and the remainder of Natick Indians to their oune plantations, or such lands of the English as may be procured for them.

2. That the garrisons appointed to be erected & kept in or neere the aboue sajd places (y<sup>t</sup> is, Patucket & Natick) be so disposed as may be for the best security & improovement of both English & Indians against the comon ennemy.

3. That a comittee be nominated & impowred by this Court forthwith to take effectuall order for the effecting thereof, that the season for planting & fishing may not be wholly lost.

Comittees for  
y<sup>t</sup> vigorous act-  
ing therein, &c.

4. That such Indians as shallbe impeached by name by any English, as not to be confided in or meet to haue this liberty, be continued at the island vntil the council, on hearing the matter, shall take further order for their disposall.

5. That the Indians lodge constantly in the English garrisons, as they shallbe appointed by those that are or shall, from time to tjme, be their ouer-seers, on pajne of death.

The Court allows & approoves of these proposalls; that the Indians to be remooved doe consist mostly of weomen & children; that the men be improved in the service of the country; and doe therefore nominate & appoint, as comittees, Left Quinsey, Robert Badcocke, & Corporall Suift for Brush Hill; Capt Prentice, Ensigne Fuller, Ensigne Bulling, & Deacon Heynes for Naticke; Left Hinchman, Left Danforth, Ensigne Fletcher, Left Osgood, & Serjant Converse for Patucket; who are heereby impowred, or the major pte of each of them, in all respects to act vigorously for effecting of what is agreed vpon in the fore mentioned proposalls, so farr as respects the settlement of the sajd Indians & garrisons; that the whole affaire, so farr as it referrs to the remoove of the Indians & their settlement, be at their oune charge, to be paid out of the Indian stocke.

Councils order  
to Major Goo-  
kin & Mr Elliot  
to make sepe-  
ration & to  
prouide arms  
in stock, &c.

The council ordered Maj<sup>r</sup> Gookin & Mr Elliot to make the seperation aboue sd, & Maj<sup>r</sup> Gookin to appoint y<sup>e</sup> comittees time & place for reception of each parcell of Indians, & to impress boats, &c, for their remoovall forthwith, & that he take care to arme & dispatch the Indian souldjers; and the comis-



sioners are to attend his order in contracting for armes for their dispatch to Cap<sup>t</sup> Hinchman.

1676.

\*It is ordered, that the Indians that haue binn employed for the publicke be payd their arrears by the Tresurer, as shall be ordered him by Major Gookin, and y<sup>t</sup> Major Gookin be requested & impowred to order the scittuation of all the weomen & children, so as may be most secure ag<sup>t</sup> the ennemy, & acceptable to them in Cambridg neck of land.

5 May.

[\*83.]

Indians arrears to be payd.

Whereas a number of English and Indians were by the honoured council ordered, vnder the comānd of Sa<sup>m</sup> Hunting, of Charls Toune, to attend the countrys service at Pautucket, neere Weymesit, and there to setle a garri- son, &c, it is therefore ordered by this Court, that the sajd Samuell Hunting, w<sup>th</sup> the English & Indians vnder him, appointed for y<sup>t</sup> affayre, be forthwith dischargd from their present service vnder Cap<sup>t</sup> Hinchman, and that they accordingly attend the aforesajd service, which, by the council, they were appointed to, provided that tenn Indians doe remajne w<sup>th</sup> Cap<sup>t</sup> Hinchman vntill a further supply of other Indians be made to him.

Order impow-  
ing Cap<sup>t</sup> Hunt-  
ing to disch<sup>g</sup>  
y<sup>e</sup> Indians, &c.

And itt is further ordered, that forty or fucty of our most trusty Indians vpon the Island be forthwith armed, & furnished w<sup>th</sup> aminition & necessaries, to be sent vp to be under the comānd & dispose of Cap<sup>t</sup> Hinchman for the countrjes service, & Cap<sup>t</sup> Jn<sup>o</sup> Hull is hereby desired to purchase fucty good suiteable armes vpon the countrys credit, to be ready for y<sup>t</sup> service.

40 or 50 of y<sup>e</sup>  
trusty Indians  
to be employ<sup>d</sup>  
vnder Cap  
Hinchman.

The troope of horse in the county of Suffolke being now destitute of a captaine by the death of Cap<sup>t</sup> W<sup>m</sup> Daus, it is by this Court ordered, that y<sup>e</sup> present Leifteñnt Thomas Brattle shall be henceforth captaine of the sajd Suffolke troop, & Cornet Jacob Elljot leftenn<sup>t</sup>, & Corporall Timothy Dwight cornet of the sajd troope, & Corporall Thomas Swift quarter master.

Officers to Suf-  
folk troope Cap  
Brattle, Left<sup>t</sup>  
Elliot, &c.

Cap<sup>t</sup> Th<sup>o</sup> Lake, M<sup>r</sup> Humphry Davy, & M<sup>r</sup> Richard Collecot, or any two of them, are appointed comission<sup>rs</sup> to joyne w<sup>th</sup> the associates of Devonshire to keepe the County Courts there the third second day of July next.

Associates of  
Devonshire.

William Stoughton, Esq<sup>r</sup>, is a<sup>p</sup>ointed, authorized, & impowred to keepe the County Courts in Portsmouth or Douer, and also at Wells, in Yorkshire, for this yeare, at the times & dajes appointed, w<sup>th</sup> the associats there allowed & approved of by this Court for that service in those countyes.

W<sup>m</sup> Stoughton,  
Esq<sup>r</sup>, to keep  
County Court  
at Portsmouth  
& Wells.

\*Major Bryan Pendleton, M<sup>r</sup> George Munjoy, M<sup>r</sup> Edw<sup>d</sup> Rishworth, Cap<sup>t</sup> John Wincol, and M<sup>r</sup> Samuel Whelewright were chosen associates for the county of Yorke for this next yeare ensuing, w<sup>ch</sup> this Court allowed & ap- proved of.

[\*84.]

Associates for  
Yorks.

Left<sup>t</sup> W<sup>m</sup> Clarke, Left<sup>t</sup> Dauid Wilton, Lefteñnt W<sup>m</sup> Allis, & Deacon

Associates for  
Hampshire.



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5 May.

Daniel Dennison, Esq<sup>r</sup>, to keepe y<sup>e</sup> County Courts in Norfolk.

Associates for Norfolk.

Cap<sup>t</sup> Saltonstall & M<sup>r</sup> Dalton impowred with magistraticall authority.

Order for 9 country rates at Yorkshire.

[\*85.]

Yorkshire charges to be stated by Major Shapleigh, M<sup>r</sup> Rushworth, &c.

Peter Tilton were chosen associates for the County Courts in Hampshire for the yeare ensuing, w<sup>ch</sup> the Court allowed & approved of.

Majo<sup>r</sup> Generall Daniel Dennison, Esq<sup>r</sup>, is appointed & impowred to keepe the County Courts in Norfolke for the yeare ensuing.

Majo<sup>r</sup> Richard Walderne, Cap<sup>t</sup> Elias Styleman, M<sup>r</sup> Richard Martyn, & Cap<sup>t</sup> Thomas Daniel were chosen associates for the county of Douer & Portsmouth for the yeare ensuing, which the Court allowed & approved of.

Majo<sup>r</sup> Robert Pike, Cap<sup>t</sup> Nathaniel Saltonstall, M<sup>r</sup> Samuel Dalton, & Cap<sup>t</sup> Thomas Bradbury were chosen associates for the County Courts in Norfolke for the yeare ensuing, w<sup>ch</sup> the Court allowed and approved of.

It is ordered by this Court, that Cap<sup>t</sup> Nathaniel Saltonstall & M<sup>r</sup> Samuel Dalton are hereby invested w<sup>th</sup> magistraticall power w<sup>th</sup>in the county of Norfolke for the yeare ensuing.

It is ordered, that the County Courts in Norfolke be kept at Hampton the last Twesday in May next, according to the last adjournment, and that for this yeare the Court in October be kept at Salisbury, any law or custome to the contrary notwithstanding; and that Symon Bradstreet, Esq<sup>r</sup>, is appointed to keepe the County Court at Hampton, now on adjournment.

Whereas, by an act of this Court, of February 21<sup>th</sup>, 1675, it was ordered that nine country rates should be levyed vpon the inhabitants of Yorkshire for the defraying of the charges of the warr in that county expended, & accordingly warrants were issued out by the country Treasurer, & Majo<sup>r</sup> Walderne appointed to receive the rates so collected, and whereas there is yet nothing donn to effect in pursuance thereof, it is now ordered, that the aboue sajd nine rates shallbe speedily levyed & paid in, for the vse aforesajd, to the p<sup>s</sup>ent Tresurer of the county of Yorke, who shall take æquall care that, together w<sup>th</sup> what hath binn disbursed amongst themselues, the other disbursments made by order of authority for their releife be duely & speedily paid.

\*Whereas, by information of y<sup>e</sup> deputies of the county of Yorkshire respecting the lawe of the com<sup>i</sup>tee of militia, which binds vp the approbation of all accompts & arrears touching the present warre solely in the hand of the sajd com<sup>i</sup>tee of militia in euery toun, by whom a great part of the sajd charges arising amongst us are mostly clajmed, the premisses considered, it is hereby ordered by this Court and appointed, that Majo<sup>r</sup> Nicholas Shapleigh, of Kittery, M<sup>r</sup> Edward Rushworth, of Yorke, & M<sup>r</sup> Samuell Wheelewright, of Wells, be & are hereby impowred to call before them, examine, & approove all such necessary arrears & charges as shall or may apperteyne to the county aforesajd, and what chardges by them according to law shallbe allowed

& approved, provided it be not in wine or strong liquors, shall by the said committee be duly paid & satisfied from time to time.

1676.

In answer to the request & motion of the militia of Cambridge, declaring, that in observance of the order of this Court for the fortifying of their town by the advice of the council, & with the consent of the town, they have begunn a line of stuckadoes, which remaines unfinished, by reason of the refractorines of some of their inhabitants, this Court doe heereby impower the selectmen of the town to joyne w<sup>th</sup> the militia for the finishing thereof, and for their furtherance heerein doe referr them to the lawes already published.

5 May.  
Order impow-  
ring selectmen  
of Cambridge to  
finish their line  
of stuckadoes.

In answer to the request of George Carr, Señ, who keepes the ferry ouer Merrimack Riuer, the securing whereof for the comon passage of poasts, souldiers, & travellers, & variety of other occasions, is of very great conceñment vnto this colony, which, if neglected, may proove eminently pjudicial & dangerous to the country in generall; for preventing whereof, it is heereby ordered by this Court, that the said Carr, shipwright, shall haue a garrison, & the full number not exceeding seven men, free from impresse, provided the said Carr doe mainteyne his garrison & the said men at his oune propper & peculiar charge, and those seven men be constantly kept for the security of the ferry, & the names of those persons so improoved to be returned in to the major of that county.

Georg Carrs  
power to keepe  
a garrison.

The Court, hauing spoken w<sup>th</sup> diuers gen<sup>tn</sup> in Boston, & desired them to advanc for the p<sup>s</sup>ent supply of the country, & sent to others at a distance on the same account, the Court being neare their adjournment, judg meete to request the honoured council further to promote the said worke by treating or sending to such other gen<sup>tn</sup> of whom they may haue expectation to receive supply<sup>s</sup> vpon the forementioned acco<sup>t</sup>.

Order to en-  
gage such, &c.,  
to land, &c.

\*There being some cases depending in Court, & appointed to be heard this day, & some others desiring the like favour, & the prouidence of God calling vpon us at this time to attend more solemne occasions, together w<sup>th</sup> the present awfull hand of God against us in the present dispensation, this Court judgeth it meet to referr the answer to such petiçons as are now in Court, w<sup>ch</sup> are not already determined, & also such cases as were appointed to be heard, vnto a more convenient tyme, when the Court will giue timely notice to persons concerned to attend them for an issue; and that there be an application to those things w<sup>ch</sup> concerne the warre, that so the Court may adjourne.

[\*86.]  
Court order as  
to hearing of  
cases.

Whereas Joseph Dickinson, of Squakeage, deceased, did, in his life time, make sale of a certeine house, lands, & meadow vnto Mathew Gleason &

Ans<sup>r</sup> to Dick-  
insons pet.

1676.

5 May.

Samuel Langton, both of Northampton, & they hauing payd & secured the pay according to agreement, and forasmuch as the sajd purchasers haue no legall assurance of sajd house & land, vpon a motion made in behalfe of the sajd Gleson & Langton to this Court, the Court judgeth it meete to empowre Phoebe, the widdow & relict of sajd Dickinson, to make firme deeds, according to law, to the sajd grantees.

Comissarys  
power to con-  
tract for pro-  
uissions.

The present condition of our forces abroad being such as calleth for a speedy supply of necessaries, it is ordered, that the comissaryes shallbe & hereby are impowred forthw<sup>th</sup> to contract w<sup>th</sup> any man or men for prouission, bread, & porke, &c, as they shall be directed to, for ready mony, to be payd w<sup>th</sup>in one tenn dayes, chardging their bills on the Tresurer for the payment thereof w<sup>th</sup>in that time.

Secretarys al-  
lowance.

In consideration of the secretarys extraordinary paynes & service since the begining of the warr w<sup>th</sup> the Indians, it is ordered, that the secretary be allowed twenty pounds ouer & aboue his stated salery for y<sup>e</sup> yeare past.

Mr Deane  
joynd w<sup>th</sup>  
Cap<sup>t</sup> Richards,  
Mr Vsher, &c,  
comitte for y<sup>e</sup>  
army.

It hauing pleased God to take to himselfe Cap<sup>t</sup> W<sup>m</sup> Daus, Mr Thomas Deane is appointed to joyne w<sup>th</sup> Cap<sup>t</sup> Jn<sup>o</sup> Richards & Mr John Vsher for the auditting of the souldiers debenters.

Cap<sup>t</sup> George  
Corwins trjall.

The Court, being sensible how much it concernes the welfare & safety of this country that order be attended by all officers and souldjers, and there being too much appearance that Cap<sup>t</sup> George Corwin hath given very evill example in his demeano<sup>r</sup> & carriage to Cap<sup>t</sup> Hinchman, which tended to disturbe & mutinize the souldiers vnder his comānd, judge it necessary, that \*the sajd Cap<sup>t</sup> Coruin be further quæstioned, & proceeded w<sup>th</sup> as the case may require, for the prevention of the like disorders, and to stop any clamors against the gouernment of partiall proceedings, that poorer men are punished for lesser offences, when richer men escape w<sup>th</sup> greater; and therefore doe appoint this case to be heard this afternoone at fower of the clocke, & that the wittnesses be suñioned to appeare at the time.

[\*87.]

Courts sentenc  
his comānd of  
y<sup>e</sup> troope of  
horse taken  
from him &  
fined 100<sup>li</sup> to y<sup>e</sup>  
country.

This Court, having heard & considered the case of Captaine George Corwin, as to his carriage towards Captaine Hinchman, the comāder in cheife ouer the forces now out against the ennemy, his orders for the servicé of the country, doe judge, that the sajd Captaine Coruin hath mannifested great contempt of authority therein, and hath giuen very ill example in these times of danger, tending to dissolue that good discipline that is of necessity to be kept vp; and doe therefore take from him, for his sajd offence, his comānd ouer the troope of horse of which he is captaine, and doe also sentence him to pay a fine of one hundred pounds in mony to the country.

The country to  
pay half y<sup>e</sup>  
wages of y<sup>e</sup>  
garrison soul-  
djers at Had-  
ley, Northamp-  
ton, &c, after  
such a time.

In answer to the desire & motion of the comittees of Hadley & North-



ampton, the Court, on consideration thereof, declare, that the one halfe of the garrison souldjers in those tounes be, by the comānders there, dismist, as are most vncapable of staying there, as shall be directed or otheruise knoune; after w<sup>ch</sup> being donn, the country shall pay the wages of the other remaying halfe of the sd garrison souldjers from that time.

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5 May.

The whole Court, being mett together, ordered, that the major for the county of Essex, Daniel Dennison, Esq<sup>r</sup>, forthwith issue out his orders to the comittees of militia in the seuerall tounes in that regiment for the raysing of their seuerall proportions of eighty able foote souldjers, well and compleately armed, & furnished w<sup>th</sup> aḡnition & sixe day<sup>s</sup> prouission for each souldjer; —

Courts order to y<sup>e</sup> majors of Essex, Suffolk, Middlesex, & Norfolk, to raise y<sup>e</sup>ir proportion of foot souldjers, &c.

That the major of Suffolke doe in like manner send forth his orders to the comittees of militias in the seuerall tounes of that regiment for the like proportion in all respects as aboue; —

That the major of Middlesex doe in like manner send forth his like orders for the raysing of seuentie like able souldjers out of his regiment, & see that they be alike compleately armed and furnished; —

\*That the major in Norfolke doe in like manner send forth his orders for the raysing of thirty like able foot souldjers, compleately armed & furnished as aboue; —

[\*88.]

That the major generall issue out his orders for the raysing and proportioning of eighty troopers, compleately, w<sup>th</sup> armes & aḡnition, proportioned out of the seuerall tounes in Essex, Suffolke, and Middlesex, & Norfolke, & the Three County Troope, who is also desired, ordered, & impowred to repaire to Concord on the last day of this moneth, at their randevous, and see that the sajd numbers be there, compleately fitted & furnished, in all respects, for the service of the country, and what he shall finde either absolutely vnfit or supernumerary, it is left to his wisdom to proportion according to the number sent to order & dismissee; —

Y<sup>e</sup> major gen. to proportion & pvide eighty able troopers out of y<sup>e</sup> seuel reg<sup>ts</sup>, &c.

And that the seuerall major<sup>s</sup> send forth their warrants for the impressing of theire proportions of one hundred able & fitt horse, w<sup>th</sup> men, one man for two horses, for baggage horses & to carry the prouissions to the randevous, to be there by the thirtieth of y<sup>s</sup> instant; —

Y<sup>e</sup> majors to provide one hundred able horse for baggag horses.

And that Major Gookin & Cap<sup>t</sup> Samuell Hunting prouide & procure seventy able Indians, fitt & ready, by the 30<sup>th</sup> of y<sup>s</sup> instant, to march out w<sup>th</sup> the forces on the country<sup>s</sup> service.

Comissarys pouer & order to pvide pvisions for 500 men, & all to be at Concord 30 May.

It is also ordered, that the comissarjes, M<sup>r</sup> Jn<sup>o</sup> Fairweather, John Morse, & Nathaniel Willjams forthwith, by their contracts, prouide & procure sufficient prouission of bread, porke, &c, of all sorts, w<sup>th</sup> proportionable aḡnition



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of all sorts, for five hundred men for one month, ordering & seeing that they be at Concord by the thirtieth of this instant.

5 May.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Harrison peti-  
tion; a more  
leasurable  
time appoint-  
ed. Vide 86.

Ans<sup>r</sup> to Brad-  
fords request.

In answer to the petition of John Harrison, it is ordered, that his case therein mentioned be heard next 3<sup>d</sup> day after noone; that the secretary give order that all persons concerned attend accordingly; w<sup>ch</sup> was donn.

In ans<sup>r</sup> to the motion of Phillip Nelson, relating to the strengthening of Bradford garrison, it is ordered, that the major generall send them out of Rouley twelve men, according to their owne proposition, to be at the chardg thereof themselues.

Ans<sup>r</sup> to y<sup>e</sup>  
selectmen of  
Springfeilds  
petiçon.

In answer to the petition of the selectmen of Springfield, in behalfe of their inhabitants, it is ordered, that, in regard of the great losses they haue susteyned by the ennemy, that for what country rates shallbe levyed vpon that toune, before the vsuall time wherein our annuall rates are to be made, that the select men of the sajd toune make a new list, both for persons and estates, w<sup>th</sup>out any further order from the Treasurer, as at other tjmes, & so pay not refferring to any former lyst.

[\*89.]

Order for pro-  
visions for the  
army w<sup>th</sup>out  
delay, &c.

\*This Court, being informed by Cap<sup>t</sup> Hinchman of his desire to be vpon suddaine motion, doe order, that suppljes of men & provissions, according to former order, be forthwith raysed, and the sajd Cap<sup>t</sup> Hinchman ordered to march the sajd forces vnder his comānds against the comōn ennemy without delay; and that the garrison souldjers at Hadley, &c, be improoved for the disresting of the ennemy in those parts, Connecticut being desired to afford us one hundred of the Pequotts & Mohegins, w<sup>th</sup> some English, to joyne w<sup>th</sup> them and with others of the Indians & English there, for to range the Narraganset country; & that a motion by this Court be made to the council of Plymouth to rayse an hundred men, & to joyne w<sup>th</sup> them as many of the Cape Indians, to rainge about their frontjers & vp the riuer as farr as Mendham; and that the warr on foote shallbe mannaged to the vtmost of our ability in a constant & settled way, w<sup>th</sup>out such intermissions as may proove greatly to our disadvantage & the encouragement of the ennemy.

1. For the more speedy & vigorous psecution of the warr, it is ordered by this Court, that victualls & aḡnition, & all other necessarjes, be provided and forthw<sup>th</sup> sent to fitt places. 2. And that letters be forth with sent to Connecticut to send forth one hundred men, w<sup>th</sup> such Pecquots & Mohegins, &c, to joyne with our garrison souldjers at Hadley, Northampton, Springfield, &c, & to agree vnder what comānd they shall be putt.

3. And that letters of information & request be forthw<sup>th</sup> sent to the Gofino<sup>r</sup> of Plimouth to imploy what English & Indians they cann, at the same time to disrest & distresse our ennemyes in those parts and about the Narra-

gansets; and for effecting the premisses, it is left to the care of the honored council of this comonwealth.

1676.

The Court, considering the want of prouissions for their garrisons of Marlborow & Quoboag, who are in distresse, together w<sup>th</sup> the wants & sicknesses in the army, doe order, that all the sicke or necessitous persons in the army be licensed to repaire to their oune homes for ten dayes, and that forty or fluety of the ablest be reteyned & quartered in Sudbury & Concord, & be employed to guard vp prouissions to Quoboag, Marlborow, & other magazines, which are w<sup>th</sup> all expedition to be sent vp, and in the meane time baggage horses be provided, and euery regiment enjoyned to make vp the full number of souldjers, both horse & foote, designed at their first advance, and that the souldjers now to be licensed be enjoyned to appeare at Concord with the recruits on Wednesday, the last of May, at their vtmost perrill; what remajnes of force besides the convoys, Cap<sup>t</sup> Hinchman is ordered to improove them for the security of the frontiers, vntill the prefixed time of recruite.

5 May.  
Order providing for the army provisions, &c. & liberty for the sicke, &c.

\*To the Indian sachems.

[\*90.]

Yow know wee sent our messengers according to your desire, and wee very true heart, but yow no giue us answer in writing, by our messengers, as yow promise; wee now send these our men, Peeter Gardiner & Jonathan Prescott, to know your minde, whither yow willing lett us haue our weomen & children yow haue captives; and if yow haue any proposall to make to us, wee willing to heare yow; and if yow come yourselues, wee send some of our sachems to treat yow at Concord, or some other place where best, and yow haue safe conduct; for wee very true heart, and yow tell your people so.

Courts letter to y<sup>e</sup> Indians.

By the Court.

EDW: RAUSON, Secre<sup>t</sup>.

Instructions for the messengers that are to meet the sachems on Thirsday next.

Instruction to y<sup>e</sup> messengers going to the Indians, i. e., Peter Gardner, Jn<sup>o</sup> Prescot, &c.

Yow shall make all possible speed onward towards the Indians, that so yow may not fayle to meet them at the time & place appointed.

Yow shall acquaint the sachems, or such as they shall send, that wee expected to haue received an answer to our last letter, and are so much the more dissatisfied at their neglect of us therein; because, hauing not received any direct answer to our former messuages, wee did in this last presse our majne errand about the redemption of all the English captives so possitively & clearly, that it could not but be very well vnderstood by them, and that it would not please us to be so long delayed, and put vpon sending so oft to them; and

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5 May.

therefore yow must now insist vpon this matter of the captives in comon so fully as to bring it to effect, that wee may know their mindes. This yow are to doe in the ffirst place, before yow treat for any of them in particular.

If they propose to treat w<sup>th</sup> the English about the issuing of the warre, & haue any reasonable offers to make for that end, yow shall let them know wee will heare & consider what they haue to say, but are not very willing to meet them in the open woods, but at some convenient garrison, where they shallbe safe & our messengers more conveniently accomodated. If they come at this time w<sup>th</sup> any expectation of meeting w<sup>th</sup> any persons of quallity sent from us w<sup>th</sup> power to conclude anything, yow shall tell them that it is theire oune fault that it is not attended, in that they did not signify to us that they desired so much of us, and that they would come in order therevnto; but, howeuer, if they professe to be so in a readynes, & will but stay, wee will forthwith send such persons to them; & in this case gaine as much intelligence as yow cann what they are like principally to insist vpon, & give us speedy notice of it.

[\*91.]

Finally, yow are to mannage your whole treaty w<sup>th</sup> clearenes \* & confidence, that so no pannick, feare, or weaknes of minde may appeare; & lett them know that the English are resolu'd to make warr theire worke vntill they injoy a firme peace.

Enquire also concerning their present state as to health, supplies, motion of Mohauks, &c.

By y<sup>e</sup> Court,EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

Ans<sup>r</sup> to Alice  
Thomas peti-  
tion.

In ans<sup>r</sup> to the petition of Alice Thomas, humbly desiring the favour of this Court to readmitt hir as an inhabitant of Boston, &c, the Court judgeth it meete to referr the peti<sup>c</sup>ioner to the next County Court for an answer.

Cap<sup>t</sup> Moselys  
proposalls for  
volunteers.

Committee ap-  
pointed to dis-  
course him, &c.

This Court, being informed of Cap<sup>t</sup> Moselys forwardnes to engage in the cuntryes service in the capacity of a comānder ouer such volunteers as may hereafter present themselues, it is ordered, that Majo<sup>r</sup> Jn<sup>o</sup> Pinchon, Majo<sup>r</sup> Thomas Savage, M<sup>r</sup> Humphry Davy, & Cap<sup>t</sup> Laurenc Hamond be a comitte'e to discourse Captaine Mosely in refference to such propositions as he may offer touching that affaire, to consider thereof, & to present to the Court or council what they shall judge as meet & expedient for the promoting & encouraging of such a designe.

Cap<sup>t</sup> Mosely readily presented these following propositions: —

1. That they may in all respects be vnder the same priuiledges w<sup>th</sup> other souldjers impressed, p<sup>t</sup>iccularly to haue their wounded men provided for at the charge of the country.



2. That he may haue liberty to procure ftiety or sixty apt or other trusty Indians, to be armed at the countrys charge. 1676.

3. That neither he nor any of his company may be ordered to keepe garrison, but maybe alwayes at liberty to seeke out & molest y<sup>e</sup> ennemy.

5 May.

4. That he may not be ordered vnder the comānd of any comānder in cheife that is or may be sent out, vnless, vppon a suddaine exigent for the speciall service of the country, there shallbe occasion of joyning w<sup>th</sup> the other forces for their strengthning, but not to be obliedged to continue w<sup>th</sup> them longer then y<sup>t</sup> emergency may require.

5. That his comīssion may be as large as may consist w<sup>th</sup> the safety of the country, & not to be bound vp in his marches or executions to particular places, but to leaue it to their best discretions for destroying the ennemy, excepting only speciall orders from Generall Court or council on speciall occasions.

6. That the benefit that may accrew by captives or plunder, y<sup>t</sup> maybe divided among<sup>t</sup> themselves. To which the comīttee added, —

1. That he ought to haue all due encouragement in this affaire, & doe judge his propositions rationall & to be granted. Comīttees  
returne.

And, as an expedient for the mannagement thereof, they propose, —

1. That a declaration be issued forth for, & persons appointed (i. e., the comīttees of militia) in the respective tounes, to take subscriptions from persons willing and able to beare the charge of wages \* & proviissions for the supply of these volunteers for two months from the time of their march; & if the charge shall surmount the contributions, in such case the country to compleate it. [\*92.]

That the country, vpon the publick charge, supply them w<sup>th</sup> sufficient aīnition for sajd service, and doe advance tenn dayes proviission for their present supply at their marching forth, and that they may be quartered in tounes whither they may necessarily come at the publick charge, as other souldjers are.

That a standing comīttee be appointed to mannage this affaire, to whom the militias shall send in their respective subscriptions, who shall order the payment of wages by debenters from their comānder, & rajse prouissions & clothing, and take effectuall care for sending the same to them from tyme to tyme, (the charge of transportation to be the countrys,) to be pajd by order of the sajd comīttee to the respective militias by & according to the subscriptions; and that the honnoured council be pleased to impower the sajd comīttee to act accordingly. Their propo-  
salls.

And in consideration of the necessity of the vigorous prosecution of this warr, w<sup>th</sup> the great difficultjes the country at present labors vnder to rayse mony, proviissions, & clothing for the souldjers imployed, they propose that a



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declaration or instrument be prepared & issued forth from the Court or council to the inhabitants, that such as are able may be stirred vp to give, or lend, or both, the country such a summe of mony & prouissions as may helpe to discharge the publick necessary debts contracted & contracting in the management of this warre, what shallbe lent to be paid w<sup>th</sup>in the compasse of three yeare; and that, vpon the next publick day of humilliation or thanksgiving that shalbe appointed by authority, the elders & ministers of the respective tounes be desired to stirr vp & exhort the people thervnto.

Subscribed by JOHN PYNCHON,  
HUMPHRY DAVIE,  
LAURENC HAMOND.

Courts appro-  
bation of the  
committees re-  
turne.

The Court allowes, approoves, & confirms the returne of the committee as an act of this Court; & for the further prosecution hereof to effect, it is referred to the committee to draw vp the declaration mentioned; and it is further declared, that no mans sonns or servants be taken or listed w<sup>th</sup>out or against the consent of their parents or masters.

20 May.

A letter rec<sup>d</sup>  
from Conecti-  
cot, & is on  
file of 20 May,  
76.

On the 20<sup>th</sup> of May came to the councils hand a letter, signed by Jn<sup>o</sup> Allin, secretary, in the name of the council of Hartford, on Conecticot, which was communicated to the Generall Court then sitting, who returned an ans<sup>r</sup> thereto, & is as followeth:—

[\*93.]

\*Honored Gent<sup>n</sup>:—

Courts ans<sup>r</sup> to  
Conecticots.

Yours of the 20<sup>th</sup> instant came to hand y<sup>e</sup> 24<sup>th</sup>. Our wondering at your so long silence hath binn no lesse then yours exprest. Considering that since our forces were called of from those parts, they not finding any ennemy, notw<sup>th</sup>standing endeavo<sup>rs</sup>, after such patient wayting, and the ennemy in such a body as sixe hundred appearing at Sudbury & Marlborow at seuerall times, doing mischeife by theire burnings of deserted houses, yea, endeavours to attack some fortified houses, & carrying one newly left, killing many here & there, (of which notice hath been given,) w<sup>ch</sup> occasioned us to leaue a sufficient garrison in those tounes, & draw of our forces to vissit, had it binn feazeable, the head quarters of the ennemy at Watchusets; but divine Prouidence ordering it that our forces, by weaknes & wants, could not atteyne that end, new forces were rayzed, vpwards of three hundred men, horse & foote, w<sup>th</sup> forty Indians, committed to the conduct of Cap<sup>t</sup> Daniel Hinchman & seuerall captaines vnder his comānd, who since hath oppertunely, by sending out partjes, discovered the ennemy by our Indian scouts as fleeing vp & doune, and by a party of

1676.

20 May.

horse, under the command of Capt Thomas Brattle, on the 5<sup>th</sup> instant, betweene Mendon & Hassanemesit, the Indians discovered the ennemy, fell on them, the horse pursuing them, kild atwenty, of which were fower squawes, tooke seuerall armes & plunder that they found in the pursuite. The season was wett; the ennemy quickly gott into the swamps; they were all disperst; none of the troopers or scouts wounded, blessed be the Lord. On the 24<sup>th</sup> instant, the said Capt Brattle, w<sup>th</sup> a troope of horse, about fuety, sent out to the pursuing of the ennemy that had newly donn spoyle at Seaconcke, when, coming w<sup>th</sup> a smale party of foote there, marcht to the falls of Pacatucke Riuer, being on Seaconck side. Spying Indians on the other side, left the foote on Seaconck side, the horse, marching vp the riuer, about a mile, w<sup>th</sup> some difficulty got ouer, marcht doune to the ennemy, put them to the rout immediately, kild seuerall of them, tooke seuerall armes, w<sup>th</sup> ammunition, keetles, & other things, w<sup>th</sup> two horses; burnt great store of their fish they had catch<sup>d</sup>, w<sup>th</sup> coates & shooes they had left behind. One man was lost there, & Cornet Elljot wounded in the hand, the dead man carried to Seaconck, and buried there. An Indian boy was taken, that, on examination, affirmd this party of the ennemy was 3 or 4 hundred, & belonged to Nepsuchnit. Thus God is pleased to mixe his smiles with his frounes. The season sickly; our forces disabled at present; but we haue impressed, & hope by the first of June, at farthest, to be out w<sup>th</sup> fwe hundred, horse & foote, & Indians, \*on the vissing of the ennemyes head quarters at Watchussets, taking it in their march to Hadley, to joyne w<sup>th</sup> y<sup>e</sup> forces & Indians, w<sup>ch</sup> we hope & desire may be proportionable to pursue & distress the ennemy, (if God please.) Our forces haue it in command to make no stay, but to march vp to those parts in expectation of your forces to joyne w<sup>th</sup> ours. Wee doe also acknouledg your neighbourly respects in your sending eighty men to strengthen those tounes. Wee also finde the Indians heere abouts doe but dally, & intend not peace, therefore concurr w<sup>th</sup> yow in a vigorous prosecution of them; haue communicated our thoughts, as well as help, to the Goũno<sup>r</sup> of Plymouth, from whom yesterday received his concurrenc in y<sup>t</sup> affaire, and assurance that what is in their power now is, & then shall be, out to scout in those parts. Comending your & our endeavours to the gracious guidance & blessing of the Almighty, remaine, hono<sup>rd</sup> gent<sup>n</sup>,

[\*94.]

Your affectionate frends &amp; confederates,

The Generall Court of the Massachuset.

& signed by their ord<sup>r</sup>.EDW: RAWSON, Secret<sup>r</sup>.

In answer to the petition of Henry Despaw, Señ, of Lyn, the Court

Ans<sup>r</sup> to Henry  
Despaws peti-  
con.

1676. judgeth it meet to referr the consideration and answer thereunto to the hon-  
oured council, to make such prouission in the case as they shall judge meet.

20 May.

[Blank in original record.]

[\*95.] \*The case of D<sup>r</sup> Bellingham, referring to his fathers will, hauing been often ordered an hearing, but, through other vrgent publick occasions, hitherto delayed, and M<sup>r</sup> Wharton, his agent, being shortly to goe for England, it is ordered, that all partjes concerned be warned to attend to morrow by eight of the clock in y<sup>e</sup> morning, and that then this Court will giue them an hearing to an issue.

9 August. *Att a speciall Generall Court, called and assembled together by Order of the Council, in Boston, the 9<sup>th</sup> of August, 1676.*

P <sup>r</sup> SENT,	Jn <sup>o</sup> Leueret, Esq <sup>r</sup> , Gov <sup>r</sup> ,	
	Sa <sup>m</sup> i Symonds, Esq <sup>r</sup> , Dep <sup>t</sup> Gov.	
	Symon Bradstreet,	} Esq <sup>r</sup> s.
	Daniel Denison,	
	Thomas Danforth,	
	W <sup>m</sup> Hathorne,	
	Edw <sup>d</sup> Tyng,	
	W <sup>m</sup> Stoughton,	
	Thomas Clarke,	
	Joseph Dudley,	

The name of y<sup>e</sup> deputy y<sup>t</sup> was returnd & seru<sup>d</sup> at y<sup>e</sup> Court were, —

Sa<sup>t</sup>: M<sup>r</sup> Heñ Bartholmew.

Ch: Cap<sup>t</sup> Laurenc Hamond, M<sup>r</sup> Thō Graues.

Do<sup>r</sup>: Lef<sup>t</sup> Jn<sup>o</sup> Capen.

B.: M<sup>r</sup> Anthō Stoddard, Cap<sup>t</sup> Thō Clarke.

Rox.: M<sup>r</sup> W<sup>m</sup> Parks, M<sup>r</sup> Thō Weld.

Wa<sup>t</sup>: Cap<sup>t</sup> Hugh Mason.

Cam<sup>b</sup>: M<sup>r</sup> Edw<sup>o</sup> Oakes, M<sup>r</sup> Edw<sup>o</sup> Jackson.

Lin: M<sup>r</sup> Jn<sup>o</sup> Fuller.

Ip<sup>s</sup>: Majo<sup>r</sup> Sa<sup>m</sup>i Apleton, M<sup>r</sup> W<sup>m</sup> Goodhue.

New: M<sup>r</sup> Samuel Plumer, Ens<sup>i</sup> Stephen Greenleafe.

Wey.: M<sup>r</sup> Thō Dyer.

Hing: M<sup>r</sup> Nath Beale.

Coñ: M<sup>r</sup> Peeter Bulkley, Cap<sup>t</sup> Jn<sup>o</sup> Hull.

Hā: M<sup>r</sup> Sañ Dalton.  
 Roŵ: M<sup>r</sup> Maximī Jewet.  
 Dō: M<sup>r</sup> Rich<sup>d</sup> Waldron.  
 Brā: M<sup>r</sup> Sañ Thompson.  
 Wō: M<sup>r</sup> Humph Davy, Left W<sup>m</sup> Johnson.  
 Mald: Cap<sup>t</sup> Jn<sup>o</sup> Wayte.  
 Glō: M<sup>r</sup> James Stephens.  
 Portsm<sup>t</sup>: Jn<sup>o</sup> Cutt.  
 Kiř: M<sup>r</sup> James Emery.  
 Wells: M<sup>r</sup> Franč Littlefeild.  
 Hađ: Cap<sup>t</sup> Jn<sup>o</sup> Richards.  
 No<sup>r</sup> Hā: Ensī Heñ Philips.  
 Chelm: Left Thō Hinchman.  
 M<sup>r</sup> Job Lane, Billi.  
 Cap<sup>t</sup> Dañ Fisher, Dedh<sup>m</sup>.  
 Cap<sup>t</sup> Georg Barber, Medf.  
 M<sup>r</sup> Edŵ Rishworth, Yoř.  
 M<sup>r</sup> John Dodge, ^ .

1676.

9 August.

M<sup>r</sup> Peter Bulkley was chosen Speaker.

**A**TT the opening of this Court, the Governo<sup>r</sup> declar'd the grounds of suñoning this Court — the receipt of a letter from his majesty, &c.

The Court, being acquainted that many of the reuerend elders were in toune, agreed & sent the marshall to them, & that they desired their p<sup>s</sup>enc & advice in so momentuous a matter. Agreed vpon the question, & sent it to them, w<sup>ch</sup> was, —

**Q.** Wither the most expedient manner of making answer to the complaints of M<sup>r</sup> Gorges & M<sup>r</sup> Mason, about the extent of our patent l<sup>j</sup>ne, be by sending agents or attourneys to answer the same, or to answer by writing onely.

The answer of the elders to the question proposed to them as aboue.

**Ans<sup>r</sup>.** Itt seemes vnto vs the most expedient way of making answer vnto the complaints of M<sup>r</sup> Gorges & M<sup>r</sup> Mason, about the extent of our patent lyne, to doe it by appointing agents to appeare & make answer for us, by way of information at this time & in this case; provided they be, with vtmost care & caution, qualified as to their instructions, by & according vnto which they may negotiate that affayre with safety vnto the country, and with all duty & loyalty vnto his majt<sup>e</sup> in the preservation of our pattent libertyes.



1676.

9 August.

Our reasons are, —

1. The justice of his majesties comānd, requiring us to giue our answer in this way, and to send an answer in writing only. Wee know not but some may interpret it to be a non observance and contempt of his majesties comānds. The rightfull comānds of politicall fathers ought to be obeyed for conscience sake. Roñ 13: 5; Tiř 3: 1.

2. The justice of our cause, which wee ought by all lawfull meanes & wayes to maintejne. Judges 11: 14, &c.

3. It is doubtfull vnto vs, whither an answer in writing onely will or may be accepted as any answer at all as the case now stands, or whither it will be credited whiles wee shrinke from it by our not imploying agents, limited as aforesajd.

4. Lest our non appearance should grattefy & give advantage vnto our adversary\* to proceed vnto the obteyning a determination against us.

[\*96.] \*5. The succesfull service which former agents thus imployed, in way of information, haue don for us, and Gods blessing vpon us in the improovement of this medium in times past.

6. Wee vnderstand that our freinds in England judge it both expedient & necessary.

7. Agents can most readily & fully answer all objections & complaints of Mr Gorges & Mr Mason in this present case, nor can our pleas and arguments be so pointed & pursued.

Fynally, some may interprett our not imploying agents to answer as aforesajd, that wee are afraid to appeare in our owne defence personally.

In order to answering of his maj<sup>ties</sup> letter, and the two petitions of Mr Mason & Mr Gorge relateing to our patent lyne in the said petitions, this Court doeth order that Symon Bradstreet, W<sup>m</sup> Stoughton, Joseph Dudley, Esq<sup>rs</sup>, Mr Peter Bulkley, Major Richard Waldron, Cap<sup>t</sup> Jn<sup>o</sup> Richards, Mr Humphry Davy, Cap<sup>t</sup> Daniel Fisher, and the secretary being added to y<sup>em</sup>, be a comittee to draw vp an address to his majesties, as also a full & large relation & declaration of our case relating to these petitions, inserting therein all evidences & testimonyes vpon oath that maybe obteyned for cleering & proving all our allegations & assertions therein conteyned, (and that in order therevnto a comission be granted vnto Major Rich<sup>d</sup> Waldron, Cap<sup>t</sup> Elias Styleman, and Mr Edward Rishworth, or either of them, to examine wittnesses & take their depositions,) and that our comittee draw vp a letter & instructions to some meet person in England, vnto whom we may send (by some fitt person from hence) the address to his maj<sup>ty</sup>, and our answer to the petitions as aforesajd, ordering & desiring him to deliuer the same to his maj<sup>ty</sup> accord-

Elders advise  
d<sup>d</sup> in by Mr Tho.  
Cobbet in all  
y<sup>e</sup>ir names; 24  
p<sup>r</sup>sent.

Courts resolu<sup>e</sup>.

Comittee to  
prepare.

Comission<sup>s</sup> to  
examin & take  
oath.

Letter & in-  
structions to  
be draune for a  
meet p<sup>r</sup>son.

ingly, and to appeare and make answer for us by way of information, as the case may require, and that this Court be adjourned vnto the sixth day of September next, at nine of the clocke.

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9 August.

Whereas the Treasurer is ordered by law to issue forth his warrants for taking an estimate of all mens estates in the 5<sup>th</sup> moneth, which, vpon some occasions, hath been omitted, it is therefore ordered, that the Tresurer issue forth his warrants for the taking an estimate of all mens estates in the seuerall townes this moneth accordingly.

Tres<sup>r</sup> order to  
issue out his  
warrts.

It is ordered, that Cap<sup>t</sup> Thomas' Prentice doe send forth some of the Indians that haue submitted themselues to the justice of this Court, to fetch in or destroy the ennemy that yet lyes out, and in case they bring in any of the sachems, they shall haue a suiteable reward.

Cap<sup>t</sup> Prentice  
order to send  
out Indians,  
&c.

It is ordered, that the souldjers of Meadfeild & Dedham that lately went forth on the countrys service, & brought in seuerall Indians, for their encouragement shall haue ten shillings ouer & aboue their wages, bringing a noate from Cap<sup>t</sup> Daniel Fisher that they were the men in that service.

10<sup>a</sup> a man for  
Dedham &  
Medfeild soul-  
djers.

\*In answer to the petiçon of Anthony Low, humbly desiring the favour of this Court, that an act of indempnity be past for the former miscarriages of his wife, Francis, (formerly Francis Arnold,) she hath binn guilty of, or suspected for, & that she may haue liberty to returne w<sup>th</sup>out feare of being quæstioned or troubled, &c, the Court judgeth it meet to grant the petiçoners request.

[\*97.]

Ans<sup>r</sup> to Antho.  
Lowes petiçon.  
His wives lib-  
erty.

It is ordered, that the case of M<sup>r</sup> Samuel Bellingham, depending, be heard at the next meeting of this Court on the eighth day of September next, at nine of the clock in the morning, and that all persons concerned haue notice by the secretary accordingly.

M<sup>r</sup> Belling-  
hams case to  
be heard 8<sup>th</sup>  
Sept.

There hauing binn an omission at the Court of Elections to constitute persons in magistratticall power for the county of Dover & Portsmouth, it is ordered, that the present associates in that county for the yeare ensuing, invested w<sup>th</sup> magistratticall power, shallbe Major Richard Waldron, Cap<sup>t</sup> Elias Styleman, M<sup>r</sup> Richard Martyn, & Cap<sup>t</sup> Thomas Daniel.

Associate in  
Douer & Ports-  
mouth invested  
w<sup>th</sup> magistrati-  
call pouer.

In ans<sup>r</sup> to the petition of seuerall freemen & inhabitants of Yorkeshire, humbly desiring that Major Richard Waldron, of whome they haue had larg experienc, maybe invested w<sup>th</sup> magistratticall authority in the county of Yorkeshire, as formerly, for the yeare ensuing, the Court grants their request.

Major Wal-  
dron invested  
w<sup>th</sup> magistrati-  
ticall authority  
in Yorkeshire.

In answer to the petition of Elisabeth Adkinson, widdow, the Court judgeth it meete to referr the petiçoner to the County Court for setling hir estate, as the law directs, & respts any further answer till that be issued.

Ans<sup>r</sup> to Elisa-  
beth Adkin-  
sons petiçon.  
Courts ap-  
pointm<sup>t</sup> to  
heare D<sup>r</sup> Bel-  
linghams case.

The case of D<sup>r</sup> Samuel Bellingham, referring to his fathers will, hauing

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9 August.

bin often ordered on hearing, but, through other vrgent publicke occasions, hitherto delayed, and Mr Wharton, his agent, being shortly to goe for England, it is ordered, that all partjes concerned be warned to attend tomorrow by eight of the clocke in the morning, and that then this Court will giue them an hearing to an issue.

At Mr Whartons request, y<sup>e</sup> case at p<sup>r</sup>sent was dissmissed ffor w<sup>t</sup> of euident.

Mr Richard Wharton, attorney, in behalfe of Mr Samuel Bellingham, p<sup>t</sup>iff, against the executors of his honno<sup>d</sup> ffather, Richard Bellingham, Esq<sup>r</sup>, deceased, as also the sajd execcutors appearing before the Generall Court, the sajd plantiff being called to declare his complaint, sajd that he could not well proceed, by reason of sundry of his wittnesses were absent; and at his request both partjes are dismissed.

Ans<sup>r</sup> to Phæbe Blantons petition.

In ans<sup>r</sup> to the petition of Phebe Blanton, widdow, the Court judgeth it meet to reffer the consideration of this petition to the sessions of the Generall Court in October next.

[\*98.]

Comittees retorne as Cap<sup>t</sup> Scottows acco<sup>t</sup>, &c.

\*To the hono<sup>d</sup> Generall Court now assembled at Boston, or in the vacancy thereof, vnto the honnored Gou<sup>r</sup>no<sup>r</sup> & council.

To be heard in October sessions.

Whereas it was the pleasure of this honoured Court to appoint us, the subscribers hereof, for the examination & setling of such necessary arrears as doe belong vnto the county of Yorke, in order wherevnto wee applyed ourselves unto that worke, but finding some difficultjes refferring to the accompts of Mr Scottow, brought vnto us by reason of seuerall complaints sent us by Majo<sup>r</sup> Pendleton, Mr Munjoy, & Mr Foxwell, & others, signifying their dissatisfaction relating to those aforesajd accompts,— the premisses considered, wee judge it necessary & most conducing on all hands to generall sattisfaction, after the representation of the case, w<sup>th</sup> such allegations & prooffes as are appendant to this honoured Court, humbly to request their council & advice therein, vpon which considerations at present wee haue suspended any further actings. For these reasons, —

1. As complaints doe declare, evidences doe proove, Mr Scottow did not any way concerne himself to take advise from or w<sup>th</sup> any publique persons amongst us about his procuring those souldjers from Boston, and therefore is conceived to be no great reason why the county should be concerned in their payment of such vnknowne charges. —

2. Mr Scottow denied to improove those souldjers himselfe when had, or to permitt others to doe it, either for the preservation of mens liues or estates, especially at such tjmes when the greatest mischeife might haue binn prevented & the ennemy most discouraged.

3. Because Mr Scottow improoved those souldjers mostly for his oune

particcular security & advantage, viz<sup>t</sup>, to attend his garrison & strengthening thereof, clearing pallisadoes for it, pauing his yard, remooving of his barne, cleaving his wood, w<sup>th</sup> other benefitts hinted of, but, if euidence may be be-  
lieved, he litle minding the safety of the publicque interest to releive the dis-  
tressed vnder their deepest calamitjes, through which neglect wee doe much  
feare more then a few came to be extreame sufferers in the losse both of their  
liues & estates. Craving pardon for our bouldnes, wee take leaue to subscribe  
our selves your humble servants,

1676.

9 August.

NICHOLAS SHAPLEIGH,  
EDW: RISHWORTH,  
SAM: WHEELWRIGHT.

In answer to this returne, the Court judgeth it meet to refferr the con-  
sideration heereof to the sessions in October next, when all partjes concerned,  
having notice given them then to appeare, may mannage their concernes before  
the Court in order to an issue.

*\*At the Sessions of the Generall Court, specially called, sitting in* [\*99.]  
*Boston, the 6<sup>th</sup> of September, 1676.* 6 September.

PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Go<sup>u</sup>,  
Saml Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>u</sup>.  
Symon Bradstreet, }  
Daniel Denison, }  
Thomas Danforth, }  
W<sup>m</sup> Hawthorne, }  
John Pynchon, } Esq<sup>rs</sup>.  
Edw<sup>d</sup> Tyng, }  
W<sup>m</sup> Stoughton, }  
Thomas Clarke, }  
Joseph Dudley, }

Deputyes present returnd to serve in August came also, & served at y<sup>e</sup>  
session, som 3 or 4 excepted.

CONSIDERING the great charge doeth dayly accrew to the country by  
keeping of country horses in Cambridge, Roxbury, & other townes, it



1676. is ordered, that all country horses that are left at any toune, by souldjers or others, vpon publicque charge, & shall there continue aboue one month w<sup>th</sup>. out any owno<sup>r</sup> challenging, shallbe by the comitte<sup>e</sup> of militia of each toune sold to best advantage for the country, & the price payd in to the country Treasurer.

6 September.

In ans<sup>r</sup> to the petition of the inhabitants of Meadfeild, the Court reffers the consideration thereof to y<sup>e</sup> October sessions.

In ans<sup>r</sup> to the petition of the troopers of Salem & Lynn, humbly desiring this Courts favour that their late captaine, Cap<sup>t</sup> George Coruin, may be restored to his former comānd ouer that troope, the Court judgeth it meete to grant their request, & he, the sajd Cap<sup>t</sup> George Coruin, is heereby restored to his former comānd ouer that troope.

In answer to the petition of Ralph Haughton, of Lancaster, it is ordered, that the peti<sup>c</sup>ōner be payd for his disbursments mentioned in his petition by the execcuto<sup>r</sup>s of the late Tresurers, in case there be so much in his hands, or in defect thereof by the present Treasurer, his oune rate amounting to six pounds to the country, being discompted.

Major Hawthorns farme layd out, returned & confirmed.

Layd out to the worpff<sup>ll</sup> Willjam Hawthorne, Esq<sup>r</sup>, six hundred & forty acres of land, more or less, lying in the wilderness, on the north of Groaten Riuer, at a place called by the Indians Wistequassuck, on the west side of the sajd hill. It begins at a great hemlock tree standing on the west side the sajd hill marked with H, and runns north and by east three hundred and twenty pole to a maple tree marked w<sup>th</sup> H; from thence it runns west and by north three hundred & twenty pole to a stake & stones; from thence it runns south & by west three hundred and twenty pole to a great pine standing in a little swampe marked w<sup>th</sup> H; from thence it runns east & by south to the first hemlocke. All the lynes are ryvne, & the trees well marked. It contejnes a mile square, and is lajd out exactly square, as may easily be demonstrated by y<sup>e</sup> platforme thereof inserted vnderneath, & is on file.

JONATHAN DANFORTH, Survejo<sup>r</sup>.

The Court allowes & approoves of this returne, so it interferences not w<sup>th</sup> former grants.

[\*100.]  
Ans<sup>r</sup> to W<sup>m</sup>  
Rawsons peti-  
cōns as to hear-  
ing his 2 cases.

\*In ans<sup>r</sup> to the petition of W<sup>m</sup> Rauson, humbly desiring the favour of this Court to grant him a hearing of his case lately trjed at the Court of Assistants last, wherein he was plaintiff ag<sup>t</sup> M<sup>r</sup> Habbacuck Glouer, M<sup>r</sup> John Glouer, & M<sup>r</sup> Pelatiah Glouer for a just diuission of Newberys farme, left by the last

will of Mr John Glouer, Señ, to be æqually diuided betwene Habbacuck Glouer, Nathaniel Glouer, John Glouer, & Pelatiah Glouer, & their heires, the said Rauson marrying Ann, the sole daughter of said late Nathaniel Glouer, & his proportion of the rent thereof, as in the said will more amply will appeare, refference thereto being had. Also, to grant him a hearing of his case wherein he was plaintiffe against Abraham Briggs, deffendant, for his illegall & injurious suing & improoving his servant, W<sup>m</sup> Hukely, so as he hath bin & is deprived of him, to his great damage, being deliuered to him by execution, &c, the Court judgeth it meet to grant the petitioner a hearing of these cases at the sessions of the Generall Court in October next, and that partjes concerned may haue due notice to attend the Court for the issue thereof accordingly.

1676.

6 September.

This Court, hauing fully heard and duely considered the case refferring to the instrument called the will of Richard Bellingham, Esq<sup>r</sup>, late Gofino<sup>r</sup>, deceased, together with the seuerall pleas and allegations of Mr Richard Wharton, attorney to Mr Samuel Bellingham, plaintiffe, against the legallity of the said will, and of Mr James Allin & Mr Anthony Stoddard, appointed ffeoffees in trust, and executo<sup>r</sup>s to the said will, deffendants, doe give their judgment in the case, that is to say, that the said will is illegall, & so null and voyd in law, and orders the chardg of hearing this case to be tenn pounds, as costs, to be payd out of the estate of the deceased.

The last will of  
y<sup>e</sup> late Rich<sup>d</sup>  
Bellingham,  
Esq<sup>r</sup>, made  
null & voyd in  
law.

In answer to the petiçon of Ichabod Wisewall, James Giles, & Richard Collecot, in behalf of the distressed inhabitants of the county of Devon<sup>s</sup>, it is ordered, that some convenient place w<sup>th</sup>in our pattent in the eastern parts may be so garrisoned & furnished w<sup>th</sup> men & a<sup>m</sup>unition as may be sufficient to keepe possession & mainteyne our interest there, & also to issue forth to the damnying of the ennemy, & that the men improoved in this service be those persons who haue lately deserted their habitations there, so many of them at least as are fitt for such imploy, and the mannagement of this, both as to place & number of men, &c, is left to the honoured council.

Garrison to y<sup>e</sup>  
eastward left  
to y<sup>e</sup> council to  
settle, &c.

In ans<sup>r</sup> to the petition of Mr Jonathan Tyng, this Court doth order, and hereby appoint Symon Bradstreet, Esq<sup>r</sup>, Mr Humphry Davy, Cap<sup>t</sup> Laurenc Hamond, & Cap<sup>t</sup> Wayte to be a co<sup>m</sup>ittee to enquire into & settle his account, vnderwritt his petiçon, together w<sup>th</sup> the account of Leif<sup>t</sup> Hincksman, or any other of like nature, & to returne the same to the session of this Court in October next, for their approbation, or otheruise, as they shall see cause.

Ans<sup>r</sup> to Jona-  
than Tyngs  
petiçon.

[\*101.]

\*In ans<sup>r</sup> to the petition of Mr Richard Wharton, attorney to Mr Samuel Bellingham, the Court judgeth it meet that administration to the estate of Richard Bellingham, Esq<sup>r</sup>, deceased, be granted vnto Mr Samuel Bellingham,

Administra-  
tion to y<sup>e</sup> es-  
tate of y<sup>e</sup> late  
Rich<sup>d</sup> Belling-  
ham, Esq<sup>r</sup>.

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~~ecutors~~ <sup>of the deceased</sup> (as aforesaid), to the pretended will of said Richard Bellingham, Esq<sup>r</sup>, who  
~~are~~ <sup>are</sup> to make report of what they shall doe in pursuance hereof to the session  
of the Generall Court in October next.

It is ordered, that the addresse, w<sup>th</sup> the declaration annexed, be sent to  
his maj<sup>ty</sup> by the hands of W<sup>m</sup> Stoughton, Esq<sup>r</sup>, and Mr Peter Bulkley, to pre-  
sent the same, & such counsel as they shall be advysed to take vnto them-  
selves there to mannage the same, to effect:—

To the Kings most Excellent Majesty.

The humble petition & address of the Gou<sup>no</sup>r & Comp<sup>a</sup> of the Massachusetts  
Bay in New England, in Generall Court assembled.

Most gracious & dread Soueraigne:—

What the calamitous & deeply distressed estate of this your maj<sup>ties</sup>  
colony, (in conjunction w<sup>th</sup> its neighbours & confederates,) labouring vnder  
the wofull and tragicall effects of more then a yeares cruel and vninterrupted  
warr with the natives, hath been, & was, at the time of the arrivall of your  
maj<sup>ties</sup> gracious letter by Mr Edward Randolph, relating to the clajmes of Mr  
Gorges and Mr Mason, hath of late been humbly informed, by the account  
given to Mr Secretary Willjamson to bee presented to your royall selfe, w<sup>th</sup>  
wee hope hath obteyned a gracious reception, and our necessary apology  
therefrom for our no sooner yeilding a full obedience to your majesties royall  
comānds a like acceptation. Since that tyme it hath pleased Almighty God, to  
whom vengeance belongeth, to plead our cause against the insolent heathen, both  
by laying a restraint vpon them, and thereby, for a season, giving vs respite from  
[\*102.] their violent \*and depopulating incursions, as also by making the expeditions  
of your loyall subjects against them in our southern & western parts so farr  
prosperous, that multitudes of them, together w<sup>th</sup> their sachems, principall coun-  
sello's, & comāders, yea, Phillip himselfe, whose head & hand were first in the  
designe, are cutt of & destroyed, most of the remainders being forced either  
to submitt to mercy, or to quitt their old and seeke new habitations farr remote  
in the wilderness. This singular smile of divine Providence gaue us faire  
hopes of such a calmness & composedness in our publicke affayres as might  
well suite with our intended convening, and best further our desires & resolu-  
tion of attending your royall pleasure signified to us; but suddainly & vnex-  
pectedly was wee affronted by the irruption & treacherous villany of a new  
ennemy (together w<sup>th</sup> some of the former) springing vp in those eastern parts,



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concerning which the controuersy betweene vs & the complaynants against us doth arise, so that at the same tyme when the high (though most vntrue) imputations & vnworthy reflections cast vpon vs by our accusers (whose confidence therein wee are made not a litle to wonder at) doe call us to mainteyne our title, & justify our proceedings in the court of our gracious soueraigne. Wee are necessitated once againe, with the vttermost hazard of our persons & great expence of our estate (so deeply exhausted before) to defend the liues of yo<sup>r</sup> majesties subjects in those places crying aloud for succour, & to dispute your majesties & our oune possession in the dismal deserts w<sup>th</sup> a bloody and barbarous ennemy, yet are wee, royall s<sup>r</sup>, most willing in observance of your maj<sup>ties</sup> comānds, (humbly craving that benigne construction which the favour of our patent entitles vs vnto, & your majesties princely candour suffers vs not to doubt of,) to offer our pleas, & produce our evidences in this matter, which, being weighed in the ballance of yo<sup>r</sup> royall & impartiall judgment, will appeare (wee presume) such as will abundantly cleare vp our right to those easterne parts to be vndoubted, according to the plajne intent and necessary sence of the words of our patent, and sufficiently make it appeare that our ad-mīstrations of government there haue been no ways derogatory to your maj<sup>ties</sup> honno<sup>r</sup>, nor prejudiciall to your royall interest in this wilderness, but many wayes beneficiall, as also sattisfactory to the inhabitants, your \*majesties subjects, vpon that place. Sure wee are (& heerein wee doubt not to make our appeale to the Searcher of hearts) that no intention of wrong to the claymo<sup>r</sup>s, no vnlawfull designe of enlargment of our borders, no proffitt or advantage thereby accrewing, (the contrary whereto wee haue hitherto found,) but a grounded aprehension of our interest, reall compassion to the petitioning inhabitants in an vnsetled and suffering condition, together w<sup>th</sup> a sence of duty incumbent to be faithfull to our patent trust, did cause us to receive them vnder the wing of your maj<sup>ties</sup> gouernment in this colony established. The further mannagement of our defence as to these our proceedings complayned of, by a more full and particular information, and presentment of what wee haue to say for ourselues, wee haue betrusted w<sup>th</sup> Mr Willjam Staughton & Mr Peter Bulkly, for whom, as for ourselues, with most humble prostration, wee begg your majesties countenance & favour. And heerein, great s<sup>r</sup>, wee are not a litle encouraged, not only by that new & ample testimony of your majesties royall justice manifested in reserving an open eare for yo<sup>r</sup> poore subjects at such a distance, & princely favo<sup>r</sup> in transmitting the coppies of the complaints exhibbited, affording time & oppertunity to appeare for our defence, but also by a large & long continued experienc of your maj<sup>ties</sup> gracious disposition & respect to us & our concernments, that wee cannot but most

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gladly declare, that therevnto, next vnder God, wee owe it, that none of those many injurious suggestions, vnjust criminations, & renewed solicitations against us, by persons ill affected to our constitution & welfare, (designed to create an impression of displeasure in your royall brest towards us,) haue not hitherto prevayled. That this your maj<sup>ties</sup> gracious aspect should suffer an eclipse (especially now in the day of our trouble, bespeaking the influences of your fatherly comisseration) wee haue as litle cause to beleive, as wee are humbly confident wee haue binn industriously carefull not to incurr the forfeiture thereof, but solicitous aboue all earthly things to preserve and to maynteyne the same by approving ourselues,

Royall Soueraigne,

Your maj<sup>ties</sup> most humble and loyall subjects,

J. L., Gofür, in the name &

by order of the Geñll Court.

- [\*104.] \*A breife declaration of the right & clajme of the Gouñor & Company of the Massachusetts Bay in New England to the lands now in their possession, but pretended to by M<sup>r</sup> Gorge & M<sup>r</sup> Mason, together w<sup>th</sup> an answer to their seuerall pleas & complaints in their petitions exhibbited, humbly presented & submitted by the sajd Gouñor & Comp<sup>any</sup> to the kings most excellent majesty, as their defence.

In the yeare of our Lord 1628, in the third yeare of his late maj<sup>ty</sup> Charles the First, of happy memory, seuerall loyall & piously disposed gent<sup>n</sup> obteyned of y<sup>e</sup> Great council of New England a grant of a certeine tract of land lying in New England, described & bounded as therein expressed, w<sup>ch</sup> was in all respects fairely & openly procured, and w<sup>th</sup> so good an intent of proppogating the gospell among the natives, & to advance the hono<sup>r</sup> & dignitje of his late maj<sup>ty</sup>, of happie memory, that they were bould to supplicate his sajd maj<sup>ty</sup> to superadd his royall confirmation thereto, which accordingly, in an ample & royall charter, was passed, & remajnes vnder the broad seale of England, March the 4<sup>th</sup>, 1629, in the 4<sup>th</sup> yeare of his maj<sup>ties</sup> reigne, with further additions & enlargments well becoming so royall a maj<sup>ty</sup>, & suitable for the incouragment of so hazardous & chargeable an adventure; in pursuance whereof, many of the sajd patentees, and other adventurers, transported themselves & estates, and settled in the most knowne & accomodable parts of those lands conteyned in the sajd charter, neither time, estate, nor power suffering them speedily to survey the just extent of their lymitts. Not many yeares different in tyme, seuerall others also of his maj<sup>ties</sup> subjects obteynd other grants, & made seuerall settlements in the more northerne & eastern parts of the

country, with whom, for seuerall yeares, wee had neighbourly correspondence, being, as they supposed, w<sup>th</sup>out the l<sup>j</sup>m<sup>i</sup>tt<sup>s</sup> of our patent, amongst whom the present claymers & petitioners were. These grants, partly by reason of the smaleness of some of them, & partly by reason of the darke, involued, & dubious expression of their l<sup>j</sup>m<sup>i</sup>tt<sup>s</sup>, brought the inhabitants vnder many entanglements & dissatisfactions among themselves, which (there being no settled authority to be applyed to, being deserted and forsaken of all such as, by uertue of sajd grants, did clajme jurisdiction ouer them, & had made a succesless essay for the settlement of gouernment among them) prooved of soñ continuance, vnto the great disquiet & disturbance of those his maj<sup>ties</sup> subjects that were peaceable & well disposed amongst them; to remedy which inconvenience, they betooke themselves to the way of combynations for gouernment, but, by experience, found it ineffectuall. In this t<sup>j</sup>me, ignorance of the northerly runing of Merrimack Riuer hindred our actuall clajme & extension of gouernment; yet, at length being more fully settled, and hauing obteyned further acquaintance and correspondency with the Indians possessing the vppermost p<sup>tes</sup> of that riuer, encouraging an adventure, as also frequent solicitations from the most considerable inhabitants of those eastern parts, earnestly desiring us to make prooffe of & assert our interest, wee imployed the most approved artists that could be obteyned, who, vpon their solemne oathes, made returnes that, vpon their certeine observation, our northern patent l<sup>j</sup>ne did extend so farr north as to take in all those townes and places w<sup>ch</sup> wee now possess, which when the inhabitants, as well as ourselues, were satisfied in, (vr<sup>g</sup>ed also w<sup>th</sup> the necessity of gouernment amongst them,) they peaceably & \*voluntarily submitted to the gouernment of the Massachusets, viz<sup>t</sup>, Douer, Squamscot, & Portsmouth, anno 1641; Kittery, Yorke, & Wells, anno 1652 & 1653; from which times vntill the yeare 1662, when there was a smale interuption by a letter of M<sup>r</sup> Gorge, & afterwards, in the yeare 1665, (when his maj<sup>ties</sup> co<sup>m</sup>issioners, Colonell Nicholls & others, came ouer,) the inhabitants of those parts liued well satisfied & vninterrupted vnder the Massachusets gouernment; but then the sajd co<sup>m</sup>ission<sup>rs</sup>, neither regarding the Massachusets just right, nor the clajmes of M<sup>r</sup> Gorge & M<sup>r</sup> Mason, settled a new forme of gov<sup>r</sup>nment there; but this hardly outliued their departure. The people, impatient of innovations, and well experienced & satisfied in their former settlement, quickly & quietly returned to order againe, and so continue vnto this t<sup>j</sup>me.

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This is, in a few words, the true state of the matter; for the further illustration whereof, & justification of our proceedings therein, & vindication of ourselues from the reproachfull imputation of vsurping authority ouer his

1676. maj<sup>ties</sup> subjects in the easterne part<sup>l</sup> pretended to, w<sup>th</sup> other scandalls cast  
 6 September. vpon us by the petitioners, wee humbly p<sup>s</sup>ent the ffollowing pleas by way of  
 demonstration, & argue, —

1. That our extension of gouernment to those easterne parts clajmed is agreeable to our indubitate patent right. Our patent, according to the express termes therein conteyned, w<sup>th</sup>out any ambiguity or coulour of other interpretation, lyes betweene two east & west parrallell lynes, draune from the most southernly parte of Charles Ryuer, and the most northerly part of Merremacke, with three miles advantage vpon each, which, vpon the observation of men of approved & vpdoubted truth, vpon oath, are found distant one degree & 49 minuits, north lattitude, being to extend in full lattitude & breadth from sea to sea, (ut interminis,) and therefore cannot be bounded by many hundreds of infinite numbers of lynes, as the Ryuer of Merrimacke maketh bends or angles in two hundred miles passage from Winipasekek Lake to the mouth thereof, which to imagine, as it is irrationall, so would it involve us and any borderer in so many inextricable disputes as are by no wayes to be admitted by a prince seeking his subjects peace. Besides, were such a construction allowable, (which, with vttermost streyning, is,) yet all favorable interpretation is to be afforded the patentees by the gracious expression of the charter.

Now, according to the aforementioned observation, (so confirmed,) all those easterne plantations challengd by our opponents (vt supra) are comprehended w<sup>th</sup>in our northerly lyne. Wee deny not but the artists of ourselues, and if any question thenc arise, wee feare not to submit to tryall to the most exact & rigorous test that may be.

[\*106.] The invincible strength of this our first plea may further appeare by the consideration of the frivolous and insignificant allegations of the petitioners in opposition therevnto, viz<sup>t</sup>: 1<sup>st</sup>. The non extension of our lyne or assertion of our right to those easterne p<sup>t</sup>s for some yeares; ignorance, as our case was circumstanced, debarring no man of his just right; neither cann it reasonably be supposed that the exact survey \*of so large a grant in so hideous a wilderness, possessed by an ennemy, would be the worke of a few yeares, our oune pouerty not affording meanes, and our weaknes (allowing no deepe adventure into the country) permitting vs not to vejw the favorable runing of the riuer, which none can imagine altered its course by our delay. Wee may aswell be deprived of farr more then wee possesse or euer saw on our westernne parts to the south sea, (w<sup>ch</sup> none will deny,) because wee haue not surveyd it, or are soone like to be able, as be taken from our northern right, so obvjous to y<sup>e</sup> meanest artist.

2<sup>ly</sup>. The possession house in Hampton, of so litle signification, & so long



since disvsted, that Mr Mason hath forgott the name thereof, and calleth it Bound House, rerected to give the world to know that wee clajmed considerably to the northward of our then habitations vpon the Bay, though wee did not know the vttermost extent of our right, our fathers not being so ignorant of the lawe of the realme to which they did apperteine as to suppose the taking possession of part did debarre them of the remainder, but the contrary.

And wee challenge Mr Mason, or any on his behalf, promising our records shall be open to the most scrutinous search, to proove it, either called or intended, according to his abuse thereof.

3<sup>dly</sup>. That notorious falsehood of stretching our right to neere fower hundred miles, north & south, more then formerly, wee were satisfied with, our whole breadth being but one hundred & nine mile, w<sup>ch</sup> is not much more then a quarter pte of what he would haue the world beleive our new clajme and (as he would insinuate) vsurped territory doth containe, arising (wee would in charity beleive) partly from ignorance of the coasting of the country, Mr Mason accounting by the sea side, and, wee suppose, casting in the measure of euery harbour and coue to make vp that calculation, w<sup>ch</sup> ljes, much of it, due east, and not to the north, but wee feare malevolently suggested (as many other things as of litle credit) to introduce into his maj<sup>ty</sup> his royall breast a beleife that wee are vnreasonable in our pretentions, and so vnworthy of his maj<sup>ty</sup>s favour, which wee hope such vnlawfull endeavours will neuer be so prosperous as to obtayne.

What may be further added to this our first plea maybe suppljed from the reasons formerly presented. Wee vrge, secondly, the invaliditje of those grants pretended to by the petiçoners, which are of two sorts: 1<sup>st</sup>, such as beare date after ours, which wee see no reason to feare any interruption from; secondly, such as are pretended to beare date before ours, against which wee object that they are not authentick, wanting a sufficient numbers of granters to make them so, none of them (as wee presume will appeare vpon tryall) hauing sixe hands & seales annexed to them, the sajd council of New England, consisting of forty, and his maj<sup>ty</sup>s grant \*to them, expressly requiring (as wee are informed) seuen, at least, to signe to make any valid act; and, indeed, Mr Masons oune often vn wearied renewall of his grants in 1621, sixteen hundred twenty two, sixteen hundred twenty nine, & 1635, (as he saith,) tacitly confesseth the same invaliddity in the former putting him to charge for the latter, till at last he fell into such a trade of obteyning grants that his last and most considerable was sixe yeares after the grant of our charter from his maj<sup>ty</sup>, and but three days before the sajd councils declaration of their absolute resolution to resigne, and but a few dayes before their actuall surrender, as he asserts;

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w<sup>ch</sup> of what value & consideration it is from the said couñil, circumstanced vnder a necessity of resignation of their great charter, procured rather by the clamor of such ill affected persons as the present complainers then by any true account of dissettlement or ill mannagement here, is not difficult to judge. Hence it appeares, first, how litle reason M<sup>r</sup> Mason hath to brand us w<sup>th</sup> fraude or sirruptitiousnes in obteyning our charter, which hath most shew of fraude and sirruptitious procuration, a sufficient number of those hono<sup>r</sup>ble persons subscribing ours, and fewer his pretended antdated grants, is easy to determine; in which assertion is to be observed the high reflection cast vpon the memory of his late majesty and ministers of state, groundlesly rendring the couñils seale, yea, the great seale of England, exposed to fraude and deceitfull clandestine practises; yea, vpon his present majestje insinuating himself better acquainted w<sup>th</sup> matters of state then he who allowes and confirms our grant as authentick by his gracious letter of sixteen hundred sixty two, which intollerable bouldness, how vnbecoming (not to say more) in a subject, it is not easy for us to say; to all which wee may add S<sup>r</sup> Ferdinando Gorges application to the authority heere to interpose in his affayre, which he, being one of the great council, would haue binn farr from acknouledging, had M<sup>r</sup> Masons allegations binn founded vpon trueth. Secondly. That articles of charge depending vpon such illegall and post dated grants cannot take place against us, were their disburse as great as it is affirmed, which, by eye wittnesses vpon the place, and still living, are prooved comparatively very inconsiderable.

3. Wee affirme that the whole mannagement of the affaire respecting our gouernment of those easterne parts was in an orderly and peaceable way, and not w<sup>th</sup>out the reitterated and earnest solicitation of most of the people there inhabitting, sufficiently appearing by their seuerall petitions; and wee challenge M<sup>r</sup> Gorges and M<sup>r</sup> Mason, by any living evidence or reccord, to shew any signe of a forcible entrance; some magistrates, vpon the clearing of our right to them, and acceptance of the tender of themselues to us, being sent thither without any other force then each of them a servant to attend them. Indeed, some yeares after, Cap<sup>t</sup> Bonigthon, for mutinous carriage, was seized and brought to justice; concerning w<sup>ch</sup>, and many other cases, many inhabitants yett living, & eye wittnesses, cann give in the most impartiall evidences. Wee offer, —

4<sup>y</sup>. To consideration, that the deserted & vngoverned state of the people of those places, \*had wee not had that patent right so clearely evinced, might warrant our actions, especially considering the obligation vpon it to secure his maj<sup>ties</sup> honnor, & mainteine the publick peace, so hazarded by the totall want

[\*108.]

of gouernment amongst them, our first exercise of jurisdiction being in the yeare 1641, eight yeare after Cap<sup>t</sup> Neale, agent for M<sup>r</sup> Mason, had wholly deserted the improouement of land and the gouernment of the country, which indeed he neuer vsed but one yeare; for in the yeare 1630 he first came ouer, and in the yeare 1634 he quitted the place, and in the interim neglected the same in making a voyage for England, the short time of his tarriance not admitting of settlement of gou<sup>l</sup>ment or improouement. Wee may hereto sub-joyne, that M<sup>r</sup> Joseph Mason, agent for M<sup>rs</sup> Ann Mason, when here, and all things were fresh in memory, made no demand contrary to what is affirmed, but petitioned our justice against his debtors there and elsewhere, and that S<sup>r</sup> Ferdinando Gorges, his grant being so meane & vncertainly bounded, that he knew not well how to finde, much lesse to improoue it to considerable advantage, by his letter, bearing date     ^     doth devolve the whole charge & care of his pretended province vpon the authority heere established.

Lastly. That the excercise of jurisdiction in those easterne parts hath binn and is his maj<sup>ties</sup> honor, the peoples great bennefit, and our charge w<sup>th</sup>out proffit, which, had it not binn the ruine of those parts, would haue vnavoydeably ensued in the want of all gouernment, and their seizure by the French, who ever wayted a fit oppertunity for the same. They haue part of them for 35 yeares, & others <sup>twenty</sup><sub>20</sub> yeares, (some small interruption interuening, producing the stronger inclination & resolution in them to be constant to his maj<sup>ties</sup> authority here,) liued vnder the gouernment of the Massachusetts a quiet, well ordered, and thriving people; and as for any complaint from ill affected persons, it is well knowne that the best and wisest gou<sup>l</sup>nt is not w<sup>th</sup>out disquiet from some such; and no wonder if silly people are soone affected w<sup>th</sup> such faire glozing promisses as M<sup>r</sup> Mason hath made and published, as it were determi<sup>ng</sup> the case before trjall by his late letters to the inhabitants in those parts; and that our gouernment in those places haue been no gaine, is so vnquestionable a trueth that neuer was any levy layd vpon them for the supply of the publick treasury, though much hath binn, and is further like to be expended for their security, who otherwise will inevitably become an easy prey to the heathen, now in hostility w<sup>th</sup> us, and at this present t<sup>me</sup> raging in those partes.

\*Orders & instructions for W<sup>m</sup> Stoughton, Esq<sup>r</sup>, & M<sup>r</sup> Peeter Bulkley, messengers for England, to present our defence in refference to the clajmes of M<sup>r</sup> Gorges & M<sup>r</sup> Mason.

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[\*109.]

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Messengers in-  
stru<sup>ti</sup>ons.

1. That yow take the first oppertunity to imbarque yo<sup>r</sup>selues for London, thoroughly & considerably parvsing the declaration & defence now

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Vpon your arrivall there, yow are to make your application, by one or both of the secretarjes of state, to the kings majesty, deliuering our addresse, and giving his majesty to vnderstand, that in obedjence to his comānds, the Gouverno<sup>r</sup> & Generall Court of the Massachusets colony in New England haue sent you to give his majestie satisfaction touching the rights of our patent, & our actions in the prosecution of that our right, in answer to the pretensions & accusations of M<sup>r</sup> Gorges & M<sup>r</sup> Mason respecting the same.

2. To all other clamours & accusations, yow shall answer, yow haue no order nor instruction, being sent only to give his majesty satisfaction in the particullar by him required.

3. If, therefore, any particullar persons should molest you concerning any pretensions against the country, yow shall craue his maj<sup>ties</sup> royall favour & protection, that you may be free to attend his majesty according to his comānd, & with his maj<sup>ties</sup> leaue be at liberty to returne to those that sent you.

4. If notw<sup>th</sup>standing our present defence, and your further argumentations thereon, yow shall finde cause, yow are then humbly to craue his maj<sup>ties</sup> fauour for tyme for a further answer from hence.

5. In case an answer be demanded of you to the memoriall of the Dutch ambassador presented to his maj<sup>ty</sup>, a full answer shall be given by the next passage.

6. Yow are by all conveyances from tyme to tyme to give advice to this Court, or to the Gouvernor & council, of your proceedings herein, endeavoring as quicke a dispatch & returne as the necessity of the affaire will admitt.

Was signed by the Gou<sup>rno</sup>r in October follōg.

16 Sept<sup>r</sup>, 76.

J. L. Gō.

Comittee about  
y<sup>e</sup> Indians.

Whereas it is incumbent vpon this Court to dispose of such Indians as are peaceable amongst us, and also of such as are come in vpon former proclamations or articles, or may come in vpon future proclamation, and submit to mercy,—it is therefore ordered, that Majo<sup>r</sup> Thomas Clarke, Cap<sup>t</sup> John Wayte, Leiften<sup>nt</sup> Thomas Hincksman, & Lef<sup>t</sup> W<sup>m</sup> Johnson shall & heereby are empowred a comittee to consider, draw vp, & present to the next session of the Generall Court what they judge is meete to be donn in this affaire.

Ans<sup>r</sup> to Phillip  
Eastman peti-  
tion for freedom  
from rates.

In ans<sup>r</sup> to the petition of Phillip Eastman, humbly desiring this Courts favour, considering his late captivity w<sup>th</sup> the Indians, & losse, that he may be freed from the payment of such rates as haue binn or maybe levyed this yeare for the vse of the country, the Court grants him his request.

There being many of our Indian ennemyes seized, & now in our possession, the Court judgeth it meete to referr the disposall of them to the honoured council, declaring it to be their sence, that such of them as shall appeare to haue imbrued their hands in English blood should suffer death here, and not be transported into forreigne parts.

1676.

16 September.  
Indjans left to  
y<sup>e</sup> council to  
dispose of by  
death, &c.

\*In ans<sup>r</sup> to the petition of M<sup>rs</sup> Mary Atwater, the Court judgeth it meet to grant hir request; & power is hereby granted hir, the sajd Mary Atwater, to make a firme deed of sale for sajd house & land to M<sup>r</sup> Nicholas Paige, as is desired.

[\*110.]

Ans<sup>r</sup> to Mary  
Atwaters peti-  
con, &c

Whereas, at the firing of Major Apletons tent at Narraganset, diuers armes & clothes were lost by the fier belonging to particcular persons, a lyst of whom is taken and in the hands of Cap<sup>t</sup> Swayne, then leif<sup>t</sup> to Major Apleton, who heeretofore haue rec<sup>d</sup> no sattisfaction for the same, this Court doth order, that reparation be made by the country to the persons damnified by the sajd fire, and that the com<sup>it</sup>tees of militia in the seuerall tounes doe allow damages vpon the accounts aforesajd, & enter them among the disbursments of the sajd tounes.

Com<sup>it</sup>tees to  
repaire dam-  
ages donn by<sup>e</sup>  
fire at Narra-  
ganset.

Instructions for Willjam Stoughton, Esq<sup>r</sup>, & M<sup>r</sup> Peter Bulkeley, our messengers, now chosen for to goe for England to present our deffence, in reference to the clajmes of M<sup>r</sup> Gorges & M<sup>r</sup> Mason.

1. That yow are to take the first oppertunity to imbarque yourselues for London, that yow thoroughly & considerately perving the declaration & deffence now delinered vnto yow, obseruing the arguments, & pointing the euidences accordingly.

2. Vpon your arrivall there, yow are to advise with such freinds as yow are acquainted with, or may be directed to concerning the best mannagement of the busines betruste w<sup>th</sup> you; and in particcular yow are to make your application to the Earle of Anglesey, & such other lords of the council as yow shall vnderstand may haue any kindness for us, to craue their lord<sup>pps</sup> favour in our cause, and for your quicke despatch.

3. According to sajd advice and your best wisdome, make your applications by one or both of the secretarjes of state to the kings majestje, giving him to vnderstand, that in obedience to his com<sup>ands</sup>, the Gouvernor & Generall Court of the Massachusets haue sent yow to give his majestie sattisfaction touching the rights & extent of our patent, and our actions in the prosecution of that our right, in answer to the pretensions & accusations of M<sup>r</sup> Gorges & M<sup>r</sup> Mason.

4. Yow shall represent to the king & council the inconsiderableness &



1676. smale worth of those easterne parts, that they cannot advantage the estates of the claymants, had they ^

10 September.

5. Yet notwithstanding, if yow finde a sūme of mony will take them off from further prosecution of their pretensions, and that they are willing & doe resigne & release all their interest to those parts vnto us, and that that may be a fynall issue, yow shall engage in that way as yo<sup>r</sup> discretion shall direct.

[\*111.] \*6. To all other clamours & accusations yow shall answer, yow haue no order or instruction, being sent only to give his maj<sup>ty</sup> satisfaction in the particulars by him required.

7. If therefore any particullar persons should molest you concerning any pretensions, yow shall craue his maj<sup>ties</sup> royall favour & protection, that yow maybe free to attend his maj<sup>ty</sup> according to his comānd, and w<sup>th</sup> his maj<sup>ties</sup> leaue to be at liberty to returne to those that sent you.

8. In case an answer be demanded of you to the memoriall of the Dutch embassad<sup>r</sup>, presented to his maj<sup>ty</sup> concerning the dispossessing the Dutch of Noua Francia, you shall attend the order given you by the Gouvernor & council, or assure his maj<sup>ty</sup> a full answer shall be given by the next passage.

9. If, notwithstanding our present defence, & your further argumentations thereon, yow shall perceiue judgment like to proceed against us, yow may then craue his maj<sup>ties</sup> favour for tyme for a further answer from hence.

10. That yow doe, by all conveyances, from time to tyme, yow give advice to this Court, or to the Gouēno<sup>r</sup> & council, of your proceedings heerein, endeavoring in quick dispatch & returne as the necessity of this affaire will admitt.

Whereas this Court hath determined, in ans<sup>r</sup> to his maj<sup>ties</sup> letter respecting M<sup>r</sup> Gorges & M<sup>r</sup> Masons complaints against the country, to send ouer to England, in such a way as may most conduce to our effectuell vindication before his majesty in that respect, which will necessarily call for a supply of moneys there for the carrying on of the same, this Court doeth order, that the Tresurer of the country be desired, and he is heereby impowred, on the behalfe of the country, to take vp, either heere or in England, or both, so much mony as shall be necessary for the mannaġment thereof, and the same to be vpon the credit of the country, this Court engaging full satisfaction from the publick treasury vnto all persons so disbursing.

Christopher Palmers, of Hamptons, petiōn is refferreed to the consideration of the sessions of the Generall Court in *in* October next.

Samuel Porter, of Hadley, hauing expended & disbursed considerable sūmes on the countrys account, & p<sup>t</sup>icullarly hauing taken care of most of the wounded souldjers at Hadley, for their prouission & comfort laying out of his

oune money, & borrowing mony to procure necessarjes for them, his accompts 1676.  
 not being yet passed, w<sup>ch</sup>, as he affirmes, amounts to neere two hundred  
 pounds, w<sup>ch</sup> the country owes him, vpon his earnest desire that a smale p<sup>t</sup> 16 September.  
 of his due may be at present allowed him, & he will be content to stay for the  
 rest, it is ordered, that the Tresurer pay the saj<sup>d</sup> Porter, in part of his due in  
 money, twenty fve pounds for the present.

*\*Att the second Sessions of the Generall Court, held at Boston, [\*112.]*  
*the 11<sup>th</sup> of October, 1676.* 11 October.

PRESENT, Jn<sup>o</sup> Leucet, Esq<sup>r</sup>, Go<sup>r</sup>,  
 Sa<sup>m</sup> Symonds, Esq<sup>r</sup>, De<sup>p</sup>,  
 Symon Bradstreet,  
 Daniel Dennison,  
 Thomas Danforth,  
 W<sup>m</sup> Hathorne,  
 John Pinchon,  
 Edw<sup>d</sup> Tyng,  
 W<sup>m</sup> Stoughton,  
 Thomas Clarke,  
 Joseph Dudley.

The names of y<sup>e</sup> deputjes as in May, &c.

V<sup>P</sup>ON the humble peti<sup>c</sup>on of Daniel Hoare & Nathaniell Wilder, pre-  
 sented to this Court, acknouledging the justice of this Court, & begging  
 pardon for their liues, the Court haue granted their petition, and accordingly  
 doe remitt the sentence of death passed against them, and order, that they  
 pay prison chardges and tenn pounds apeece money, half towards the charge  
 of wittnesses, to be pajd to the Tresurer of the country, and the other halfe  
 to Andrew Pittime, & Swagon, y<sup>e</sup> Indians prosecuting against them; on pay-  
 ment whereof they are dischargd.

There being seuerall cases refferred to the sessions of this Court to be  
 heard, it is ordered, that Fryday next, being 13<sup>th</sup> instant, at nine of the  
 clocke, be the time appointed for the begining thereof successiue, and all  
 partjes concerned haue notice given them accordingly.

In answer to the peti<sup>c</sup>on of Robert Cox, in behalfe of Sebastian, negro,  
 his servant, the Court judgeth it meet to grant the peti<sup>c</sup>oners request, the life

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11 October.

of the said Bastian Negro, and orders, that the said Bastian be seuerely whipt w<sup>th</sup> thirty nine stripes, and allwayes to weare a roape about his neck, to hang doune two ffoot, that it may be seene, whilst he is in this jurisdiction, and when euer he is found w<sup>th</sup>out his roape, on complaint thereof, to be severely whipt w<sup>th</sup> twenty stripes, and discharging the prison charges, to be releast & dischargd the prison.

Right hono<sup>r</sup>ble: —

His majesties gracious letters of the 18<sup>th</sup> of the 12, 7<sup>5</sup>, refferring to the memoriall of the Dutch embassado<sup>r</sup>, was received the third of the seventh month, 1676, and by the Gouverno<sup>r</sup> communicated to the Generall Court, who being so farr sencible of our oune necessity, and the misinformation of the States Generall, and complaints therevpon to his majesty refferring to that matter, that our hopes a bare narrative of that transaction, w<sup>th</sup>out any plea or defence therevpon, is sufficient for our excuse and satisfaction to his majesty, which breifely and truely wee haue draune vp to be presented to his majestys hands, and haue committed the same vnto our worthy freinds, Mr W<sup>m</sup> Stoughton and Mr Peter Bulkley, whose accesse to his maj<sup>tye</sup>, and dispatch of this and other buisnes committed to them, wee pray your honno<sup>r</sup> to be assistant in, and wee shall acknowledge ourselues further obliged to pray for yo<sup>r</sup> hono<sup>r</sup>s happiness, & remajne,

Your humble servants,

J. L., G.

To the Right Hono<sup>r</sup>ble S<sup>r</sup> Joseph Williamson, one of his maj<sup>tye</sup>s principall secretarjes of state.

[\*113.] \*Right hono<sup>r</sup>ble: —

12 October.

In obedience to his majestjes comānds in Nouember last, brought to us by Mr Edward Randolph in June last, wee hope, by the first oppertunity wee had of assembling, appointed and sent our worthy and honoured ffreinds, Mr Willjam Stoughton & Mr Peeter Bulkley, members of our society, by whom wee haue sent our answer and defence to the accusation & misrepresentation made against us by Mr Gorge and Mr Mason, in refference to their pretended clajmes, from & by whom we doubt not but his majestje will receive full satisfaction of our innocency and the justnes of our actions respecting their pretensions; and how pittifully those gentlemen will find themselves mistaken in their expectation of great advantage, which, in its best estate, would be of no value, and no considerable and much lesser, a great part thereof being wasted and destroyed by the ennemy, notwithstanding all the helpe and assistance

wee afforded for their succour, and are yett continuing the same charge, of which the gentlemen bearers heere cann fully acquaint your hono<sup>r</sup>, in whose behalfe wee humbly begg your hono<sup>r</sup>'s favour and assistance to procure them accesse and admittance to his gracious majesty, & as speedy a dispatch as the necessity of more vrgent affajres will permitt. Your favour heerein will oblige vs to a thankfull acknouledgment & mannifestation that wee are,

Your hono<sup>r</sup> most humble servants,

The Generall Court of y<sup>e</sup> Massachusets,

J. L.

Boston, October 12.

For the Right Honöble Henry Couentry, Esq<sup>r</sup>, one of his majestjes principall secretarjes of state.

Right Hono<sup>r</sup>ble: —

The Gouvernor & council, calling us to meet in Generall Court, vpon our coming together acquainted us w<sup>th</sup> his maj<sup>ties</sup> co<sup>m</sup>ands of the tenth of March, received the 10<sup>th</sup> of June by the hands of M<sup>r</sup> Randolph, as also what returne they had made to your hono<sup>r</sup>, excusing their not so speedy calling the Generall Court, by reason of the warr, & an epidemick sickness the Lord was pleased then to afflict the country with, & giving your hono<sup>r</sup> to vnderstand that, to answer his majestjes co<sup>m</sup>ands, & to reply to the hard & vnjust charges layd vpon the gouernment of this his majestjes colony of the Massachusets by M<sup>r</sup> Gorges & M<sup>r</sup> Mason in their petitions, was most propper for this Court. The matters alleadged against us wee haue now had vnder serious consideration, and haue made diligent search into the reccords of what heretofore passed, and haue made a diligent enquiry of the old planters yet surviving, that were \*eye wittnesses, and well acquainted w<sup>th</sup> the transactions of those times in the begining of these plantations, and accordingly haue transmitted our answer, w<sup>th</sup> the proofes therevnto; and, for his maj<sup>ties</sup> more full sattisfaction, haue desired & sent our honoured & respected freinds, M<sup>r</sup> Willjam Stoughton & M<sup>r</sup> Pecter Bulkley, both members of the Court, to be our messengers to present the same to his majesty; and that they maybe the better forwarded in their application to his majesty, wee doe heereby make bold to reco<sup>m</sup>end them to your hono<sup>r</sup>'s favour & assistance, who will wayte vpon your hono<sup>r</sup>, whom yow will finde able & ready to give your honno<sup>r</sup> account of the present state of the country, both in refference to the warr, & Gods hand vpon it by sicknes; & wee haue the greater confidence off your hono<sup>r</sup>'s goodness towards vs heerein from the assurance yow were pleased to give vnto our Gouverno<sup>r</sup> of yo<sup>r</sup> affectionate incljnation to serve this poore people. Thus, crauing your hono<sup>r</sup>'s

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[\*114.]



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pardon for this bold trouble, wee pray for yo<sup>r</sup> hono<sup>r</sup>s prosperity here & heere-  
after, & remajne

Yo<sup>r</sup> hono<sup>r</sup>s humble servants,

The Generall Court of y<sup>e</sup> Massachusetts.

J. L., G.

These ffor the Right Hono<sup>r</sup>ble S<sup>r</sup> Joseph Willjamson, one of his maj<sup>ty</sup>s  
principall secretarys of state.

It is ordered, y<sup>t</sup> the secretary joyne w<sup>th</sup> Cap<sup>t</sup> Hamond, M<sup>r</sup> Humphry  
Davy, & M<sup>r</sup> Isack Addington for y<sup>e</sup> examining & preparing all writings &  
letters to be sent by our messengers for England, &c.

Tresurer to pay  
25<sup>th</sup> money for  
y<sup>e</sup> messengers  
accomodation.

Messengers hauing binn sent to M<sup>r</sup> Anderson, master of the ship now  
bound for England, as to fitt accomodations for the hono<sup>r</sup>d gentlemen now  
bound for England, haue mad agreement w<sup>th</sup> the sajd master for transportation  
of the sajd gent<sup>n</sup> and two attendants, w<sup>th</sup> such prouission and other necessarjes  
as they shall need, for twenty fiue pounds, in money, to be paid forthuith by  
the Tresurer, in New England money.

Lawrenc Wa-  
ters satisfac-  
tion.

In answer to the petition of Laurence Waters, of Lancaster, humbly  
desiring the favour of this Court to order the payment of his accounts men-  
tioned in his peti<sup>ti</sup>on, of seven pounds fiueeen shillings & fower penc, or  
thereabouts, due to him from the country, his rate of forty two shillings being  
deducted, the ballance may be paid him, being aged & blind, &c, it is ordered,  
that the Tresurer make payment to the peti<sup>ti</sup>oner the sume aboue mentioned,  
prouided that if it is belonging to the old Tresurer, & not charged in his  
account, that he passe it to the new Tresurer.

[\*115.]  
Sixe county  
rates.

\*The Court, being very sencible that moneys are much wanting to carry  
an end the present designe against the Indians, doe therefore order, that sixe  
country rates be levyed on the seuerall townes in this jurisdiction by the  
selectmen & constables, and paid in to the Tresurer, for the payment of  
souldjers, & such other matters in order to the warres as is necessary; the  
one halfe by the twentjeth of Nouember, and the other halfe by the twentieth  
of March next. And it is ordered, that the assessments of the townes by the  
seuerall com<sup>is</sup>sioners of the countjes shall stand, and the rates be levyed  
according to theier ljs<sup>t</sup>s.

In w<sup>t</sup> y<sup>e</sup> coun-  
try rates to be  
p<sup>d</sup> in.

It is ordered by this Court, that all such as haue not paid their former  
rates shall pay what is behind at the same prizes of corne, &c, as the sixe  
rates are to be paid in now ordered to be paid.

It is ordered by this Court and authority thereof, that all sorts of corne

to be paid in the sixe country rates now to be leyed shallbe paid into the country Tresurer at these prises following, viz<sup>t</sup>, wheat at five shillings, new barley brought in season, barley mault, rye, & pease at fower shillings p bushell, Indian corne, of y<sup>e</sup> groweth of this country, three shillings, oates at two shillings p bushell, & all good & merchantable corne, & to be brought in to the Tresurer w<sup>th</sup>out any allowance for charge of carriage; and all other things paid in the country rate to be at money price; provided that if any pay money, to be abated one foweth part; provided, also, that no horses or leane catle be paid in the said rates.

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In the case now depending in Court wherein Willjam Rauson is plaintiffe, by petiçon, against Abraham Briggs, deffendant, touching one Willjam Hukely, a servant of the said Willjam Rawson, the Court, on a full hearing of the case, and on due consideration of what hath binn pleaded & allcaded by both partjes therein, doe finde for the plaintiffe a reversion of former judgments in the case, and that the said Briggs doe forthuith restore or deliuer to the plaintiffe his said servant, or, in defect thereof, to pay the sume of forty pounds, according to the bond formerly given, & costs of Court eight pounds fueteen shillings & eight pence.

Courts judgment in Rawsons case ag<sup>t</sup> Briggs.

This Court, having heard the complaint of M<sup>r</sup> Rishworth exhibbeted against Captaine Scottow for improoving the country<sup>s</sup> souldjers on his oune particullar occasions, & neglecting the service of the country, & thereby endeavoring to put the charge of these souldjers vpon Cap<sup>t</sup> Scottow, vppon a full hearing of both partjes, see no reason for the aforesaid complaint, and doe judge, that the said Cap<sup>t</sup> Scottow (for ought doth appeare) hath faithfully dischargd his trust, and is therefore acquitted from the chardge endeavored to be put on him, but that the same be borne by the county, and that M<sup>r</sup> Rushworth doe pay Cap<sup>t</sup> Scottow his costs & damage. The Court granted & determined the costs to be nine pounds thirteen shillings & eight pence.

Courts judgment in Scottows case ag<sup>t</sup> Rishworth.

\*In the case betweene Willjam Rauson, plaintiff, & John Glouer, Habba-cuck Glouer, & Pelatiah Glouer, defend<sup>ts</sup>, this Court doeth order, that one twelfth part of Newbury<sup>s</sup> farme, now in the occupation of Roger Billings, be deliuered to the said Willjam Rauson or his assignes, w<sup>th</sup> all the proffitts, rents, & appurtenances there vnto belonging, to be sett out by Cap<sup>t</sup> Daniel Fisher, Lef<sup>t</sup> Edmund Quinsey, and Quarter m<sup>r</sup> Swift, w<sup>th</sup> costs of Court, allowance being first made for buildings & other debts due, to be paid from the said farme, and his parte thereof to be paid before the diuission be settled; all which to be determined by the abouesaid comitte. Cost allowed was seven pounds twelve shillings & fower pence.

[\*116.]

Courts judgment in Rawsons case ag<sup>t</sup> y<sup>e</sup> Glouers.

In the case depending betweene John Harrison, plaintiffe, by petiçon,

Courts judgment in Harri- sons case ag<sup>t</sup> Woody.

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Execution is-  
sued out 21  
M<sup>ch</sup>, 77.

Courts ans<sup>r</sup> to  
Jn<sup>o</sup> Haughton  
peti<sup>o</sup>.

against Richard Wooddey, deffendant, touching a pretended highway by the said Harrison's house, & leading towards the Fort Hill, the Court, on a full hearing of the case & perusal of the evidences therein, doe finde for the plaintiff the land in controuers<sup>e</sup> & costs of Court, seven pounds five shillings & six pence.

This Court being informed by certifficat vnder the hand of Cap<sup>t</sup> Daniell Hincksman, that when he was out in the service of the country at Lancaster, they had occasion to make vse of an ox for a supply of the forces vnder his com<sup>and</sup>, which said ox was vallued, by indifferent persons, at five pounds in country pay, on a motion made in the behalfe of the owner of the ox, John Houghton, it is ordered, that the Tresurer of the country make payment to the said Haughton for the said ox accordingly.

Courts ans<sup>r</sup> to  
widdow Vp-  
hams peti<sup>o</sup>.  
Tr<sup>e</sup> to pay M<sup>r</sup>  
Chickering  
bill, . 2<sup>d</sup> 14 8  
To Edw.  
Ellis,  
chir., 2 10 0  
To M<sup>r</sup>  
Adding-  
ton, 1 3 6  
To D<sup>r</sup>  
Cooke, 1 5 0  
To M<sup>r</sup>

In answer to the peti<sup>o</sup>n of Ruth Vpham, widdow & relict of the late Leff<sup>t</sup> Phineas Vpham, the Court judgeth it meet to order, that the bills of charges to chirurgeons, docto<sup>r</sup>s, & diet, mentioned in said peti<sup>o</sup>n, be pd by the Tresurer of the country; and in consideration of the long and good service hir husband did for the country, & the great losse the widdow susteynes by his death, being left w<sup>th</sup> seven smale children, & not able to carry on their affaires for the support of hirselfe & family, doe further order the Tresurer of the country to pay vnto the said widdow tenn pounds in or as money.

Peirc, for  
diet, 4 18 0  
To y<sup>e</sup> widdow  
10<sup>u</sup>.

Secretary al-  
lowanc, 40<sup>u</sup>.  
Mary Kimballs  
rate.

Itt is ordered, that the twenty pounds granted in May as augmentation to the secretary be made forty pounds, considering his extraordinary seruice.

It is ordered, Mary Kimballs rate of fower pounds, &c, (having lost hir husband at Bradford in the spring, w<sup>th</sup> great pt of hir estat carried away by the Indian ennemy, & much impouerished thereby,) be remitted.

[\*117.]

Ans<sup>r</sup> to Leff<sup>t</sup>  
Ways peti<sup>o</sup>n.

\*In ans<sup>r</sup> to the petition of Leff<sup>t</sup> Richard Way, humbly desiring this Courts favour to grant him liberty to keepe his Indian girle in towne, the Court judgeth it meet to grant this peti<sup>o</sup>n.

Courts order to  
rayse forces  
out of the 3  
countys, as to  
releif of those  
in distrees, &c.

It is heereby ordered, that, for the service of the eastern parts, there be forthwith raysed in the county of Suffolke one hundred & twenty able soul-  
djers, with twenty of our Indians, which shall be sent, w<sup>th</sup> all expedition, fitted & furnished with armes, am<sup>n</sup>ition, & prouissions sufficjent, in convenient ves-  
sells, to Kinnibecke, Shipscott, Monhegin, & Casco Bay, or Black Point, or where they may haue oppertvnyty to doe service vpon the ennemy; and that Major Clarke be desired and is heereby authorized to rajse & send away the said forces as abouesajd, and to put them vnder such conduct as himself, the council, or the Generall Court shall appoint.

It is further ordered, that seuenty men be impressed out of Essex and



sixty out of Middlesex, which shall be sent by land to Piscataqua, whither  
 ammunition & provisions shall be forthwith sent. The said forces, with so many  
 as are already in those parts as may be spared from securing the town, shall,  
 after the recovery of Black Point, be employed to march towards the enemy's  
 quarters, towards Pegwakick, &c, on this side Kennebeck, & these to be con-  
 ducted by such as the General Court or council shall appoint.

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It is ordered, that all those men that came from the deserted places at  
 the eastward, fitt for the country's service, be impressed & employed therein,  
 and that the majors & committees of the severall counties & towns doe accord-  
 ingly presse & lyst them for this present expedition.

Easterners to  
 be impressed.

It is ordered, that seventy of the most able souldjers, impressed in  
 Suffolke for the designe intended at Kennebeck, be sent to Piscataqua, and  
 are to attend the order of the major generall, or such other commanders as the  
 Council shall appoint to manage the designe there against the enemy;  
 and it is further ordered, that one of those vessels appointed for Kennebecke  
 be forthwith sent away with cloathing & other provisions & ammunition to Pis-  
 cataqua.

Order to dis-  
 pose of Suf-  
 folke souldjers.

In order to the supply of the forces to be sent forth to the eastward, it  
 is ordered, that the Treasurer doe contract with merchants or others for said  
 supplies, & give his bills for payment within sixe months; which meanes if it  
 fayle, that the commissarys be impowred to presse by warrant provisions &  
 other necessaries, as the exigency of the affaire doth require.

Order impow-  
 ring Treasur<sup>r</sup> &  
 commissarys to  
 contract, &c,  
 for provisions,  
 ammunition, &c.



In answer to a motion made by the Governor of New Yorke, who hath  
 sent his sloop to transport sundry of the inhabitants that are fled to these  
 towns from the merciless cruelty of the enemy in the eastern parts, this  
 Court doeth declare, that as they may not justify the act of sundry of the  
 abovesaid inhabitants, who have, in a very dishonorable manner, forsaken  
 those places that might, with meet care, have been kept out of the enemy's  
 hands, so they cannot countenance or encourage the motion made by the  
 Governor of Yorke, the tendency thereof being apparently for the damage of  
 his majties interest in those parts, and quitting the same to be a prey, not only  
 to the Indians, but also to the French, who are said by themselves to be their  
 abettors in the depopulation there made, but doe judge it far more con-  
 ductible to his majties interest that with one shoulder all his majties subjects in  
 these plantations doe joyne in driving the enemy thence, and for that end  
 that all meet endeavors be used to engage the Mohawks, or other Indians,  
 freinds to the English, for their help & assistants therein.

Ans<sup>r</sup> to Gov. of  
 Yorks motion  
 ab<sup>t</sup> removing y<sup>e</sup>  
 eastern people.

[\*118.]

It is hereby ordered, that out of those new levied souldjers ordered by  
 this Court to be raysed for the eastern service, that the council take care to

Major Gen<sup>l</sup>  
 Denisons or-  
 der & power to  
 manag y<sup>e</sup>  
 forces, &c.



1676.

12 October.

send away w<sup>th</sup> all speed one hundred & fuetty men w<sup>th</sup> prouissions, & amini-  
tion, & cloathes, to Cap<sup>t</sup> Hathorne, for the security of what is remayning in  
Yorkshire, & if possible to annoy the ennemy in their quarters; and that  
Cap<sup>t</sup> Hawthorne attend such orders as he shall receive from the council or  
Major Generall Dennison, who is heereby desired & ordered to repaire to  
Portsmouth, or some of the adjacent townes, to mannage that affaire vntill it  
be ended or accomplished, and all other prouission designed for that affayre  
for the present to cease.

Major gen.  
comission.

23

This Court, hauing appointed Majo<sup>r</sup> Gen<sup>l</sup> Denison to repaire vnto Ports-  
mouth, and there to take care for the improouement of the souldjers now  
raysed aganst the incursion of the comon ennemy in those easterne plantations,  
and to give his orders accordingly, doe heereby authorize and impower him to  
take the comānd of all the souldiers & places of deffence in those parts; and  
all military comānders, officers, & souldjers, w<sup>th</sup> others y<sup>e</sup> are the inhabitants  
of those parts, are heereby required to take notice thereof, and to yeeld  
obedjence to him accordingly. And for the better mannagement of the sajd  
trust to him heereby comitted, he, the abouesajd majo<sup>r</sup> generall, is heereby  
authorized & impowred to impresse men, horses, prouissions, & a<sup>m</sup>unition, &c,  
as to him shall seeme meet, and to punish by fine, imprisonment, or any other  
corporall punishment, as the law directs, all such as shall neglect or refuse to  
execute his warrants, or yeild obedience to his comānds, or be otherwise trans-  
gresso<sup>r</sup>s of the military lawes established by this Court.

[\*119.]

Courts ans<sup>r</sup> to  
Meadfeild pe-  
ti<sup>o</sup>n, 87<sup>u</sup> abat-  
ed y<sup>e</sup>m out of  
y<sup>e</sup>ir 10 rates.

\*In answer to the petition of the inhabitants of Meadfeild, humbly crav-  
ing the favo<sup>r</sup> of this Court to consider their great losses by the Indian ennemy  
the last spring, and abatement of their rates accordingly, it is ordered, that  
Meadfeild be allowed, towards their losses by the ennemy, the sume of  
eighty seven pounds ten shillings out of their last tenn rates.

Ans<sup>r</sup> to Wey-  
moth, 46<sup>s</sup> out  
of y<sup>e</sup>ir 10 rates.

It is ordered, that forty sixe shillings and eight penc be abated & al-  
lowed to Weimouth, out of their last tenn rates, towards their losses by the  
ennemy.

Ans<sup>r</sup> to Hing-  
ham, 10<sup>u</sup>.

It is ordered, that Hingham be allowed & abated out of their last ten  
rates, towards their losses by the ennemy, the sume of tenn pounds.

Ans<sup>r</sup> to Sud-  
bury peti<sup>o</sup>n,  
& 44<sup>u</sup> 10 abat-  
ed y<sup>e</sup>m.

In ans<sup>r</sup> to the petition of the inhabitants of Sudbury, for abatement in  
their last tenn country rates, by reason of their losses in their estates by the  
comon ennemy, the Court, finding their estates falls short fower pounds nine  
shillings in their single country rate, judge meet to order, that Sudbury be  
allowed & abated forty fower pound ten shillings out of y<sup>e</sup> whole sume of  
their ten country rates.

Ans<sup>r</sup> to Con-  
cords motion,  
50<sup>u</sup> abated y<sup>e</sup>m.

In ans<sup>r</sup> to the petition or representation of the inhabitants of Concord,

itt is ordered, that Concord be allowed or abated out of their last ten country rates the sume of fuetty pounds, towards their losses, &c. 1676.

In ans<sup>r</sup> to the petition of the selectmen of Chelmsford, &c, it is ordered, that Chelmsford be allowed & abated the sume of fuetty three pounds seven shillings & one penny out of their last tenn country rates, towards their losses.

12 October.  
Chelmsford  
abatem<sup>t</sup>.

It is ordered, that Andiver be allowed & abated out of their last tenn country rates the sume of fower pounds tenn shillings, towards their losses y<sup>t</sup> are still escapes there.

Andiver abate-  
m<sup>t</sup>.

In ans<sup>r</sup> to the petition of the inhabitants of Springfeild, the Court, considering the great losse y<sup>t</sup> Springfeild hath susteyned, & the streights & expences they haue binn necessarily put vnto for the preservation of the place, doe order, that they be abated one hundred and fuetty pounds of their rates due to the publicque, and that the Tresurer doe allow it them in their accounts; all w<sup>ch</sup> abatement, together w<sup>th</sup> the rest of the charge, shall be proportioned vpon the inhabitants by the select men according as they haue expended for the enterteyning of garrison souldjers, and the remainder that shallbe found due to be levyed & payd accordingly. They who haue deserted the toune, & not runn the hazard w<sup>th</sup> their neighbo's, not being to be allowed any share in the abouesajd abatement.

Ans<sup>r</sup> to Spring-  
feilds petiçon,  
150<sup>u</sup> abatem<sup>t</sup>.

It is ordered, that Northampton inhabitants be allowed & abated out of their last ten country rates eighteen povnds twelve shillings & sixe penc, towards their losses.

Northampton  
abatem<sup>t</sup>, 18<sup>u</sup>  
12 6.

It is ordered, that Hadley be allowed & abated out of their last ten country ratē nine pounds three shillings & fower penc, towards their losses.

Hadley abate-  
m<sup>t</sup>, 9 3 4.

\*In ans<sup>r</sup> to the petiçon of the inhabitants of the county of Hampshire, it is ordered, that the rule & prise of payment for the charge of the warr in the county of Hampshire shallbe in all respects as it is in other countys.

[\*120.]

Ans<sup>r</sup> to Hamp-  
shire pet.

It is hereby ordered, that Cap<sup>t</sup> Thō Daniel & M<sup>r</sup> Martjn, of Portsmouth, doe impress such vessells as are needfull, w<sup>th</sup> affnition & prouission, and what may be necessary for the designe, who are to goe to Blacke Point, Winter Harbo<sup>r</sup>, &c, for the recouering & securing of those places, and distressing & destroying the ennemy there, or elsewhere, & that M<sup>r</sup> Nathaniel Fryer haue the comānd & disposing of them for the ends aforesajd.

Courts order to  
Cap<sup>t</sup> Daniel &  
M<sup>r</sup> Martyn to  
impow<sup>r</sup> yem to  
impress ves-  
sells, &c.

Hono<sup>r</sup>ble S<sup>r</sup>: —

17 October.

It is the good pleasure of God still to manifest the tokens of his displeasure against us, by permitting the ennemy in the eastern parts to doe much mischeife; who haue made their progress as farr as Black Point & Winter

Gen. Courts  
letter to Gou.  
Plimouth for  
ayd.

1676.

17 October.

Harbo<sup>r</sup>. The English there having left those places & garrisons to the Indians, who now possesse them, wee account it our duty to indeavo<sup>r</sup>, by the help of God, to recouer them from them, & to vse all force against them, wherein wee desire & expect yo<sup>r</sup> concurrence w<sup>th</sup> us, & assistance of us w<sup>th</sup> some English, & also some of your Indians, & Cap<sup>t</sup> Church, whom we haue spoken with here, & finde him ready to serve God & the country; request therefore your speedy sending of him, & such as yow shall see meet, to asist in that designe. & so, praying for Gods presence and blessing on o<sup>r</sup> endev- o<sup>r</sup>s, w<sup>th</sup> respects to yow, are, s<sup>r</sup>,

Your humble servants & confederates,

The Gen Court of the Massachusetts.

Signed

p JN<sup>o</sup> LEUERET, Go<sup>l</sup>.

Dated Octob<sup>r</sup> 17, 1676.

Cap<sup>t</sup> Scills dis-  
charg.

Whereas Cap<sup>t</sup> Joseph Scyll hath heretofore binn employed in the countrys service, as co<sup>m</sup>ander of a company, & that information is given that of late he hath carryed himself offencively in that place, this Court doeth the<sup>r</sup>fore order, that the sajd Scyll be forthwith dischargd from that imploy, & some other meet person appointed in his roome.

Ans<sup>r</sup> to Tho.  
Eames peti<sup>ti</sup>on.

The Court, hauing read & considered the petition of Thomas Eames, doe order & appoint Major Daniel Gookin, Cap<sup>t</sup> Daniel Fisher, & Cap<sup>t</sup> Goodenow to be a co<sup>m</sup>ittee to vejw the place desired by the petitioner for his accomoda- tion, w<sup>th</sup> a habitation, & make returne to the next Court.

Ans<sup>r</sup> to Marga-  
ret Cogswells  
peti<sup>ti</sup>on.

In ans<sup>r</sup> to the petition of Margaret Cogswell, attorney to John Cogswell, hir husband, now a prisoner, the Court judgeth it meet to grant the peti<sup>ti</sup>oners request, for the hearing of the case mentioned in the peti<sup>ti</sup>on, at the next Court of Election, all partjes being su<sup>m</sup>oned then to appeare, & Jn<sup>o</sup> Cogswell, Ju<sup>n</sup>, to be at liberty from the prison to attend his occasions till the case be heard.

The Castle to  
be co<sup>st</sup>d w<sup>th</sup>  
lead.  
Cap<sup>t</sup> Bratle  
added to y<sup>e</sup>  
co<sup>m</sup>itt. of y<sup>e</sup>  
Castle.

Information being given to this Court of the great damage that the Castle buildings do suffer for want of y<sup>e</sup> couering to be don w<sup>th</sup> lead, it is ordered, that y<sup>e</sup> Tresurer deliuer to y<sup>e</sup> co<sup>m</sup>ittee so mu<sup>ch</sup> lead as y<sup>e</sup> worke will need, or mony to p<sup>u</sup>re the same, and Cap<sup>t</sup> Th<sup>o</sup> Bratle is added to the co<sup>m</sup>ittee.

[\*121.]

Courts order  
for Treasurer  
to pay Left  
Clarke 38<sup>u</sup> 18<sup>s</sup>  
00<sup>d</sup>.

\*Itt is ordered, that the Tresurer of the country pay vnto Left Willjam Clarke the su<sup>m</sup>e of thirty eight pounds eighteen shillings, and is for so much by him deliuered to the countrys vse in porke & bisket, as by his account on file appeares.



In answer to the petition of Jonathan Woodman, humbly desiring the remittment of the fine of tenn pounds imposed on him for not surveying the ship Salamandar, &c, the Court judgeth it meet to grant his request, & his fine is remitted accordingly.

1676.

17 October.

Jonathan Woodmans fine remitted.

Mr Tho. Clarke, misters, recompene, 6.

Mr Thomas Clarke, minister, being seven weekes in the army at Narraganset, & officiating at the request of the comānder in cheife during that time, the Court judgeth it meet to grant him sixe pounds money, to be payd by the Tresurer.

In ans<sup>r</sup> to the petiōn of Mr Jonathan Tyng, the Court, hauing perused the returne of the comitte appointed to examine his accounts mentioned therein, doe order the Treasurer of the country to pay vnto him twenty pounds towards his chardges.

Ans<sup>r</sup> to Jonathan Tings acco<sup>t</sup>.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Thomas Wheeler, Señ, & his sonn, it is ordered, that they be payd their whole wages, from the time they entred vpon the service vntill their returne to their oune houses, ouer & besids tenn pounds allready allowed him in October last, for his present supply, being wounded in the country<sup>s</sup> service.

Ans<sup>r</sup> to Tho. Wheelers, Sen. petiōn.

In ans<sup>r</sup> to the petition of Mr Peter Bracket, the Court judgeth it meet to grant the petiōn, & doe order Mr Zerubabell Endecott forthwith to repay the petiōner twenty pounds disbursed on the account in the said petiōn mentioned.

Ans<sup>r</sup> to Mr Brackets petiōn, & Mr Zerubb. Endecott to repay him 20<sup>li</sup>.

Vpon the motion of the inhabitants of Reading, the Court judgeth it meet to appoint John Dammon to be leiftenānt for Redding compā, and order, that comission be granted him accordingly.

Jn<sup>o</sup> Dannon lieu<sup>t</sup> to Redding compā.

In ans<sup>r</sup> to the motion of Cap<sup>t</sup> Thomas Clarke, Ensigne Pen Townsend is appointed lieu<sup>t</sup>, & Sarj<sup>t</sup> Hopestill Foster to be ensigne to said Cap<sup>t</sup> Tho<sup>o</sup> Clarks company.

Pen Tounsend lieu<sup>t</sup>, Hope. Foster ensigne, to Cap<sup>t</sup> Tho. Clarks comp.

It is ordered, that Bartholmew Gidney be ensigne to Salem company, vnder Cap<sup>t</sup> Jn<sup>o</sup> Coruin.

Bartho. Gidney ensig. to Cap<sup>t</sup> Corwins compa.

It is ordered, that Mr Edward Rishworth be paid out of the country treasury for Yorkshire the sume of three pounds mony, for his transcribing publick writtings now to goe w<sup>th</sup> our messengers.

Mr Rishworth recompene for publick writtings.

In ans<sup>r</sup> to the petiōn of Samuel Plumer, ferryman at Newbry, it is ordered, that himself & his son Ephraim be freed from the presse.

To enter.

\*The Court, hauing pvsed the accompt brought in to the comitte who had the examination thereof of the expences, disbursments, &c, of the late Major Symon Willard, amounting to the sume of fuety fflower pounds one shilling & two penc, the accompt whereof is on file, the Court judgeth it meet to allow thereof, and add tenn pounds more for extraordinary enterteinments

[\* 122.]

Major Willards allowanc, 64 01 2.



1676. not brought to account, ordering the Tresurer to make payment thereof, in all  
sixty fower povnds one shilling & two penc.

17 October.

Tres<sup>r</sup> Russells  
acco. as to y<sup>e</sup>  
Dutch warr,  
1673.

In obedience to an order of the Generall Court, dat<sup>d</sup> May 3<sup>d</sup>, 1676, wee, the subscribers, hauing audited the accompt relating to a Dutch warr, finde the ballance due to the estate of the late Tresurer to be the summe of two hundred sixty seven pounds seven shilling and three penc, as p account on file may appeare, only in the ballance there is included thirty pounds for pajnes & trouble, as on the other side, which wee leaue to the Court to determine.

THO: CLARKE,  
ANTHO: STODDARD,  
HUMPHRY DAVY,  
JN<sup>o</sup> RICHARDS,  
HEN: BARTHOLMEW.

23 October.  
Tresurer Rus-  
sells.

In obedienc to an order of the Geñerall Court, dated May 3<sup>d</sup>, 1676, wee, the subscribers, hauing auditted the Tresurers accompt for country single rates for 74 & 75, doe finde due to the country from the estate of the late Tresurer the sume of forty three pounds two shillings & eleven penc, only the fuety pounds chardged for the Tresurers allowance & losse, &c, wee leaue to the Court to determine, w<sup>ch</sup> if the Court allow not, must be added to the ballanc abouesajd, & then will be due to the country ninety three pounds two shillings & eleven penc, as p acco<sup>t</sup> on file appeares.

23 Octö, 1676.

THO: CLARKE,  
ANTHO: STODDARD,  
HUMPHRY DAVY,  
JN<sup>o</sup> RICHARDS,  
HEN: BARTHOLMEW.

25 October.  
Indian warr  
acco.

Tresurer Rus-  
sells acco<sup>t</sup>s as  
to y<sup>e</sup> years 75,  
76, 9 rates, &c.

In obedience to an order of the Geñ Court, dated May the 3<sup>d</sup>, 1676, wee, the subscribers, hauing purvsed & audited the late Tresurers accompt, w<sup>ch</sup> is on file, relateing to the Indian warr, doe finde the ballance due to the estate of the late Tresurer to be the sume of nine hundred & nineteen pounds seven shillings one penny; onely there is included in this ballance two hundred twenty & fiae pounds for charges & pajnes, & losse in pay, &c, which is left to the Court to determine, and if not allowed (or what part of it is not allowed) is to be substracted out of sajd ballance; it is likewise to be

vnderstood that what is here chardged to be deliuered to Capt Jn<sup>o</sup> Hull, & likewise what is chardged to be paid to the seuerall townes for disbursements; it is to be made out by the execcuto<sup>r</sup>s of the late Tresurer, to be so disbursed, and if any erro<sup>r</sup> therein appeare that there be not so much payd, it is to be made good by said execcuto<sup>r</sup>s. 1676.  
25 October.

October 25, 1676.

Signed, THO: CLARKE,  
ANTHO: STODDARD,  
HUMPHRY DAVY,  
JN<sup>o</sup> RICHARDS.

In obedienc to an order of the Geñerall Court, dated May 3<sup>d</sup>, 1676, wee, the subscribers, hauing perused & auditted the late Tresurers account, doe finde the ballance due from the late Tresurer to the country the sume of fower hundred twenty fower pounds sixe shillings ten pence; only there is chardged by sd Tresurer fuetie pounds for his paines, w<sup>th</sup> wharfage, storage, porteridge, & losse, w<sup>ch</sup> wee leaue to the Court to determine, & if not allowed by the Court, is to be added to the ballance aboue. Tresur<sup>r</sup> Russells  
acco<sup>t</sup>, 75.

p THO: CLARKE,  
ANTHO: STODDARD,  
HUMPH: DAVY,  
JN<sup>o</sup> RICHARDS,  
HEN: BARTHOLMEW.

\*In answer to the petiçon of James Russell, execcuto<sup>r</sup> to the late Richard Russell, Esq<sup>r</sup>, late Tresurer, the Court judgeth it meet to allow the petiçoner one hundred & fuetie pounds, vpon all accompts, for his pajnes, extraordinary & other losses and damages susteyned by the late Tresurer, his father, as to publick concernes in that place; so the whole ballance due to him vpon all accounts is fue hundred & fouerteen pounds & fower shillings & seven pence. [\*123.]  
Ans<sup>r</sup> to James  
Russells peti-  
çon, 514 4<sup>s</sup> 7<sup>d</sup>  
ballanc.

In ans<sup>r</sup> to the petition of True Crosse Minot, widdow of Stephen Minot, late of Dorchester, deceased, humbly craving the favor of this Court to im- power & inable hir to seale deeds to M<sup>r</sup> Stoughton, Richard Baker, & others, of Dorchester, for seuerall parcells of land by them bought of hir husband, and justly sattisfied for in his lifetime, but the legall conveyanc not perfected by him, the Court grants his request, & impowers hir accordingly. Courts ans<sup>r</sup> to  
True Crosse  
Mynots peti-  
çon.

Whereas Joshua Scottow is now sending forth a smale vessell or two w<sup>th</sup> company for the discouery of the state of the ffort at Black Point, and transport of what may be there recouerable either of his or any of the inhabit- ants, it is ordered, that the said vessells and persons by him sent shallbe & Courts act as  
to M<sup>r</sup> Scottows  
fort at Black  
Point, &c.

1676.

25 October.  
Commission  
thereupon was  
granted & signed  
to Bartho. Tip-  
ping.

hereby are exempted from impresse vpon any other of the country's imploy; and Bartholmew Tipping being commended as a fitt person to take the charge of such as are to land, in case he shall judge the place tenable, he shall be & heereby is impowred to impresse the company now sent, and any other of the inhabitants, or other persons which may be there found, to looke after plunder or their oune estates, and to defend & keepe the place from the ennemy vntill further order; and the said Scottow hath liberty to impresse some inhabitants of Black Point who lye latent, he, the said Scottow, carrying it on at his oune charge.

John Chickering's  
guardians.

It is ordered, (on the motion of Mr Joseph Dudley, on behalfe of Mr Chickering, of Charls Toune, administrator to the estate of Mr John Chickering, there being a copyhold estate belonging to the children of Mr John Chickering, late of Charls Toune, in England, necessary to be taken vp by some on behalfe of hir son, John Chickering, now an orphan,) that Mr W<sup>m</sup> Staughton & Mr John Bulkly, of London, be & hereby are appointed guardians to the said John Chickering.

[\*124.]

Thanksgiving  
appointed No-  
vember 9<sup>th</sup>.

\*Whereas it hath pleased our gracious God, contrary to the many evill deservings of an vnworthy & sinfull people, such as wee are, so farr to espouse the interest of his poore people as to plead their cause w<sup>th</sup> the heathen in this wilderness that haue risen vp against us, and broken in vpon many of our townes & places as a flood, seeking the vtter extirpation & ruine of the interest of our Lord Jesus in this wilderness, & that with so considerable a progress and such strange success as ought not to be soone forgotten by us in this day of our calamity, God hath made bare his oune arme for our deliuerance, by taking away counsell & courage from our ennemjes, & giving strange advantage, & great success to ourselues & confederates against them, that of those seuerall tribes & partjes that haue hitherto risen vp against us, which were not a few, there now scarce remaines a name or family of them in their former habitations but are either slayne, captivated, or fled into remote parts of this wilderness, or lye hid, dispayring of their first intentions against us, at least in these parts; vnto which mercy God hath added an abatement of those epidemick sicknesses that haue attended us most part of this summer, & vouchsafe us a liberall portion of the fruites of the earth for our comfortable sustentation & releife; the joint consideration of these things minister great cause; & the same God that is the author of them cann giue us hearts to offer our prayse, that thereby wee may glorify him, which that wee may obteyne, this Court doth appoint & sett apart the ninth day of November next, to be kept a day of solemne thanksgiving & prayse to God for such his singular & fatherly mercies bestowed on us, & commend the same to the respective

elders, ministers, & people in this jurisdiction, solemnly & seriously to keepe the same.

1676.

The whole Court ordered a day of humilliation the first Thursday in December, that the council draw vp a declaration accordingly, w<sup>ch</sup> was donn, & printed & published.

25 October.  
Day humillia-  
tion to be in  
December.

Whereas this Court hath declared that the will of the late Go<sup>vn</sup>r, Rich<sup>d</sup> Bellingham, Esq<sup>r</sup>, was voyd in law, & the law prouiding that due care be taken for the widdow or relict of the deceased, it is therefore ordered, that this matter be issued & determined by this Court, and that the money resting due from the late trustees remajne in their hands vntill the sajd settlement be made.

Courts order  
for y<sup>e</sup> issuing  
all matters re-  
maining as to  
settlement of  
M<sup>r</sup> Belling-  
hams estate.

\*The Court, as the Court of Admiralty resolved, & that by voate, that Robert Orchard, the officer, had not acted regularly in his seizing, &c, and so find for the plaintiff, David Anderson.

[\*125.]

E. R., S.

[The remainder of page \*125 left blank.]

*\*Att a Gennerall Court for Elections, held at Boston, 23<sup>d</sup> of May, 1677.*

1677.

23 May.

J<sup>N</sup>° LEUERET, Esq<sup>r</sup>, was chosen Go<sup>vn</sup>or for the yeare ensuing, & tooke his oath in opent Court.

[\*126.]

Samuel Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Gouverno<sup>r</sup> for y<sup>e</sup> yeare ensuing, & alike tooke his oath.

Symon Bradstreet,	}	3 <sup>d</sup> Co <sup>m</sup> ission <sup>r</sup> in reserve.
Daniel Dennison,		
Th <sup>o</sup> Danforth,	}	1 <sup>st</sup> Co <sup>m</sup> issioner for the Vnited Colonies for y <sup>e</sup> yeare.
Daniel Gookin,		
W <sup>m</sup> Hawthorne,	}	Esq <sup>r</sup> s, were chosen Assistants, & tooke their oathes,
J <sup>n</sup> ° Pynchon,		except M <sup>r</sup> Stoughton & M <sup>r</sup> Bulkely, y <sup>t</sup> were
Edward Tyng,		absent on the country <sup>s</sup> occasion.
W <sup>m</sup> Stoughton,	}	4 Comis <sup>s</sup> in reserve.
Thomas Clarke,		
Joseph Dudley,		2 Co <sup>m</sup> issioner for y <sup>e</sup> Vnited Colony <sup>s</sup> .
Peter Bulkeley,		

Cap<sup>t</sup> J<sup>n</sup>° Hull was chosen Tresurer for y<sup>e</sup> yeare ensuing, & tooke his oath.



1677.

23 May.

Edw<sup>d</sup> Rawson was chosen Secretary for y<sup>e</sup> yeare ensuing, & tooke  
his oath.

The Court adjourned till the morning, at eight of the clocke.

24 May.

24 of May. PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Go<sup>v</sup>,  
Saf<sup>i</sup> Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>,  
Symon Bradstreet,  
Daniel Dennison,  
Daniel Gookin,  
Th<sup>o</sup> Danforth,  
W<sup>m</sup> Hathorne,  
Jn<sup>o</sup> Pinchon,  
Edw<sup>d</sup> Tyng,  
Th<sup>o</sup> Clarke,  
Joseph Dudley.

The names of the deputjes returned from the seuerall tounes to serve at  
this Court were, —

Salem: M<sup>r</sup> Edmund Batter, 1<sup>st</sup> s, M<sup>r</sup> Thomas Graues.

Charls Towne: M<sup>r</sup> Jacob Green.

Dorchester: Left Jn<sup>o</sup> Capen, M<sup>r</sup> James Blake.

Boston: Major Th<sup>o</sup> Sauage, M<sup>r</sup> Anth<sup>o</sup> Stoddard.

Roxb<sup>e</sup>: M<sup>r</sup> W<sup>m</sup> Parkes, M<sup>r</sup> Th<sup>o</sup> Weld.

Wat<sup>r</sup> T.: Cap<sup>t</sup> Hugh Mason.

Camb<sup>r</sup>: M<sup>r</sup> Edw<sup>d</sup> Oakes, M<sup>r</sup> Joseph Cooke.

Lynn: Ensi<sup>g</sup> Jn<sup>o</sup> Fuller.

Ipsw<sup>ich</sup>: Maj<sup>r</sup> Saf<sup>i</sup> Apleton, M<sup>r</sup> W<sup>m</sup> Goodhue.

Newb<sup>e</sup>: M<sup>r</sup> Caleb Moody.

Weym<sup>outh</sup>: M<sup>r</sup> Jn<sup>o</sup> Bicknel.

Hingham: M<sup>r</sup> Nath Beales.

Concord: M<sup>r</sup> Jn<sup>o</sup> Flynt.

Dedham: Cap<sup>t</sup> Daniel Fisher.

M<sup>r</sup> George Colton, Springf., 1<sup>st</sup> s.

M<sup>r</sup> Dudley Bradstreet, 1<sup>st</sup> s, And<sup>over</sup>.

M<sup>r</sup> Th<sup>o</sup> Marston, Hampton.

M<sup>r</sup> Richard Swann, Rouley.

Maj<sup>or</sup> Rich<sup>d</sup> Waldron, Douer.

Cap<sup>t</sup> Elyas Styleman, Ports<sup>mouth</sup>.

Mr Humphry Dauy, Left W<sup>m</sup> Johnson, Wooborne.

Mr Samuel Thompson, 1 s, Braintry.

Mr Henry Palmer, 1 s, Hauerill.

Cap<sup>t</sup> Jn<sup>o</sup> Wayte, Maulden.

Cap<sup>t</sup> Georg Barbe<sup>r</sup>, Meadfeild.

Cap<sup>t</sup> Jn<sup>o</sup> Wincol, 1 s, Kittery.

Mr Sam<sup>l</sup> Wheelwright, York & Wels.

Cap<sup>t</sup> Jonathan Poole, Redding.

Left W<sup>m</sup> Clarke, Medad Pomry, Northam<sup>p</sup>.

Mr Peter Tylton, 1 s, Mr Phillip Smith, Hadley.

Mr John West, Beucly.

Maj<sup>or</sup> Thomas Sauage was chosen Speaker for this sesson.

[The six following pages, \*127—\*132, are in an unknown handwriting.]

\*This Court, being desirous to p<sup>r</sup>vent all occasions of complaint referring [\*127.]  
to the profanation of the Saboath, & as an addition to former lawes, doe order To p<sup>r</sup>vent prof-  
and enact, that all the lawes for sanctification of the Saboath & preventing the anation of the  
profaning thereof, be twice in the year, viz<sup>t</sup>, in March, in September, pub- Saboath.  
lickly read by the minister or ministers on the Lords day in the severall re-  
spectiue assemblies within this jurisdiction, & all people by him cautioned to  
take heed to y<sup>e</sup> observance thereof. And the select-men are hereby ordered  
to see to it that there bee one man appointed to inspect the ten families of his  
neighbours, which tything man or men shall & are hereby haue power, in the  
absence of the constable, to app<sup>r</sup>hend all Saboath breakers & disorderly tiplers,  
or such as keep licensed houses, or others that shall suffer any disorders in  
their houses on y<sup>e</sup> Saboath day, or evening after, or at any other time, & to  
carry them before a magistrate or other authority, or comit to prison, as any  
constable may doe, to bee proceeded with according to law.

And for the better putting a restraint & securing offendo<sup>r</sup>s that shall any A cage to be  
way transgress against the lawes, title Saboath, either in the meeting house by erected.  
abusiu<sup>e</sup> carriage or misbehaviour, by making any noyse or otherwise, or during  
the daytime, being laid hold on by any of the inhabitants, shall, by the said  
person appointed to inspect this law, be forthwith carried forth & put into a  
cage in Boston, which is appointed to be forthwith, by the select men, to be  
set up in the market place, and in such other townes as y<sup>e</sup> County Courts shall  
appoint, there to remain till authority shall examine the person offending, &  
giue order for his punishment, as the matter may require, according to the  
lawes relating to the Saboath.

This Court, considering the necessity of a present & vigorous prosecution

1677.

21 May.

1677.

24 May.  
Order for a vigorous prosecution of the warre ag<sup>st</sup> the Indjans at the eastward.

[\*128.]

Provisions for 200 men to be sent to Black Point.

of the warr ag<sup>st</sup> the insolent eastern Indjans, by invading & assaulting them in their quarters, especially near the sea coast, doe therefore order provisions of all sorts, necessary to <sup>be</sup> made for two hundred men, to be sent to Blackpoint, to furnish a magazine there for the souldiers to be employed in those parts; & further, that a light vessel and two shallops be provided to attend the said souldiers, for their transportation over creeks and rivers, & pursuing the Indian canoes; and one hundred \* & fiftie or two hundred stout, active souldiers be raysted, & put under active & prudent leaders, & be, with all convenient speed, dispatched to Blackpoint & those parts, to pursue & destroy the enemy, & endcavour the rescue of the English prisoners; & that those forces in Yorkshire under Cap<sup>t</sup> Frost & Cap<sup>t</sup> Swaine, so many as shall be judged necessary for the garrisoning the townes, to be, with their commission officers, dismissed, and such of the souldiers as shall be left in garrison to be under the comānd & order of the committee of militia of the respectiue places where they shall remaine.

And it is ordered, that provissions of all sorts, for one hundred & fifty men, or two hundred, be presently provided & sent for their supply for three months time, and that provisions also be provided & sent for the Mohaukes.

Addition to the law ag<sup>st</sup> Quakers meetings, &c.

As an addition to the last law relating to Quakers meeting, the constables of every towne are hereby required to make diligent search in their respectiue townes, especially on the Lords day, in all suspected places & houses, & where they know or may be informed that any Quakers are mett to celebrate their irregular & prohibited worship, and are hereby impowred to break open any door where peaccable entrance is denied them, and such persons as shall be found at such meetings shall be apprehended, & proceeded with, and punished as the law provides in that case; and every constable neglecting his duty herein, & being legally convicted thereof, shall forfeit the summe of forty shillings to the vse of the county; and for all such persons as shall be prosecuted or complained of for absenting themselues from the publick allowed worship of God on the Lords day, & will not so much as affirme they were there, or necessarily absent by the providence of God, it shall be adjudged a conviction and the breach of the law, & punished accordingly.

Order for administration to be granted to persons dying intestate or insolvent law to be divided.

It is ordered by this Court and the authority thereof, that when any person dyeth intestate, whose estate is insoluent, & not sufficient to satisfy the severall credito<sup>rs</sup>, & upon information thereof given to the Court of that county, the said Court shall grant administration as the law directs, and impower commissioners to receaue & examine the claimes of the seuerall credito<sup>rs</sup>, & giue notice, by posting up a paper in the most publick place in Boston, & in the towne where the person lived, & in the three next adjacent townes,

that all persons may come, & make their claimes, & proue their debts w<sup>thin</sup> twelue months after publication, at farthest, (unless, upon occasion, the County Court see cause to giue further time,) before the said commissioners, and such as they \*shall find clear & unquestionable debts, to receaue & allow them; & so the said Court shall make a just and æquall division to all the credito<sup>rs</sup>, according to their severall proportions, so farr as the s<sup>d</sup> estate will extend unto; & whatsoever credito<sup>r</sup> shall not come in within the time limited as affore<sup>sd</sup> to challenge & proue his debt, he shall be debarred from any part of his or her s<sup>d</sup> debt, unless such persons afterward can find some other estate of the deceased not found out before, & put into the inventory. And any estate of like nature now depending, & not fully issued by an æquall division among all the credito<sup>rs</sup> according to their proportions, shall be settled according as this order directs, any proceedings or actings in any Courts or otherwise to the contrary notwithstanding.

1677.

24 May.

[\*129.]

This Court being informed that our souldiers now in Yorkshire are in great necessity for want of cloathing & other necessary provissions, to the end that a due suply may be made, —

Courts order  
for provisions  
of all the souldiers in York-  
shire.

Its ordered by this Court, that the commisaries of Boston doe forthwith provide one hundred & fifty good shirts, or, in defect thereof, so much linnen as will make to such a number, with thred; also, five hundred yards of either cotton or peniston, w<sup>th</sup> Manchester & thred, & some necessities for sick & wounded men; also, three hundred bushels of Indian corn, to be proportioned to the severall townes in Yorkshire according to the number of the souldiers in each towne, together with some pease, three barrells of porke, one barrel of rumme, three hundred pounds of tobaccò, two hundred pair of good, strong, plaine shooes, one hundred & fifty paire of strong stockins; and that all these provisions aboue mentioned be proportioned by Maj<sup>r</sup> Waldron & M<sup>r</sup> Samuel Wheelwright; & that they take care for the speedy sending away of the same.

For the advancement of the countreyes commodities, it's orderèd by this Court & the authority thereof, that all retailers of strong beer, being licenced thereunto, shall haue liberty to sell strong beere aboue two pence p quart, provided they put in of barly mault pportionable, i. e., beer of threepence p quart, three bushells of mault to a barrell; at 4<sup>d</sup> p quart, 4 bushells of mault to a barrell; any law, usage, or custome to the contrary notwithstanding.

Inkeepers lib-  
erty to retaile  
beer at 3<sup>d</sup> & 4<sup>d</sup>  
p<sup>r</sup> qu<sup>t</sup> on con-  
dition.

As an addition to the law, title Military, sect 7, requiring pikemen to provide snapsacks, & being wholly silent concerning musketeers, this Court declares that musketeers shall & are hereby required to provide snapsacks, with others amunition that law expresseth.

Musketeers  
to provide  
snapsacks.



1677.

24 May.

[\*130.]

Order as to  
settling our  
neighbours  
Indians in 4  
plantations.

\*Whereas, after this time of trouble & warr with the Indjans, the well ordering & settlement of those that remaine & are under command is a matter of great concernment to the peace & security of the countrey, & the welfare, civilizing, & good education of the s<sup>d</sup> Indjans & their children, it is hereby ordered & enacted, that such Indjan children or youths that are settled or disposed, by order of authority, or with their parents or relations consents to any of the English inhabitants in this jurisdiction, shall so remaine with them as servants, and to be taught and instructed in the Xtian religion untill each of them attein to the age of twenty fowr yeares of age, except by speciall contract it be otherwise provided; and for such other Indians children, youths or girls, whose parents haue been in hostility with us, or haue lived among our enemies in the time of the warr, and were taken by force, & given or sould to any of the inhabitants of this jurisdiction, such shall be at the disposall of their masters or their assignes, provided they be instructed in civility & Christian religion; & for all other Indians that are admitted to liue within this jurisdiction, as well such as are called Praying Indjans, as well as others, shall be reduced to inhabitt in fowr places for the present, viz<sup>t</sup>, Natick, Punkapaug, Hassanamesit, & Wamesit, & within the limitts of those townships as they are graunted to them by the Generall Court, where they may be continually inspected, & from time to time ordered & gove<sup>r</sup>d by such as this Court or coun-cill shall appoint; & when they are once settled as afore<sup>s</sup>d, a list to be taken of all the men, weomen, & children of the severall companies once a yeare at least and kept upon record, with a strict charge & prohibition, vpon the pœnalty of the displeasure of this Co<sup>r</sup>t, not to receaue or entertaine any stranger or forrein Indjans or Indians into their societies, w<sup>th</sup>out the knowledge or approbation of authority; and that the Indjans about Piscataqua shall be settled about Quochecho, as shall be further ordered by the coun-cill; and all other lawes & orders relating to the Indjans, & made since the warre began, as to their confinement to this or that place, or giving liberty to take or kill any of them found without the limitts appointed, are hereby repealed and declared void.

Order to pre-  
vent inconve-  
nience by In-  
djans travayling  
the woods w<sup>th</sup>  
their gunns.

For the preventing of all inconveniences that may fall out by the setting of the Indians at liberty, to be freed from any feares of being shott, found out of their limitts, it's hereby ordered, that all neighbour Indjans & friends, though at liberty to hunt, &c, yet carri<sup>j</sup>ng their gunns with them into the woods, & not easily discoverd whither freinds or not, shall & hereby are enjoyned, on the sight of any English person, or being called unto, shall immediately lay down his gunne, & leaving them, repaire to the s<sup>d</sup> English person, & make it out by his certificate, from some person in authority, of his

name and place of aboad, and liberty as aforesayd, or otherwise, shall be liable to haue his gun taken from him, & be looked on as an enemy; \*nor shall any Indian on this side Merrimack River haue liberty to trauaile the woods with their gunns without a certificate from Majo<sup>r</sup> Generall Denison & Majo<sup>r</sup> Gookin, or on the other side Merrimack River, without like certificate from Majo<sup>r</sup> Richard Waldron.

1677.

24 May.

[\*131.]

It is ordered, that the Treasurer bring in the country's accounts forthwith, that the Court may come to understand the true state of the country.

Treasurer to  
bring in coun-  
trys acc'ts.

This Court doth order, that all disbursements, (since the first of May, 1676, relating to the Indian war,) according to their severall species, shall be reduced to the prizes & valuation hereafter expressed, i. e., that the prizes and payments of all things referring to the premises to be at the country rate prize: —

To billeting of souldiers, viz<sup>t</sup>, one man, p week, five shillings & four pence.

To provision for souldiers out, i. e., for one man, p week, five shillings & four pence.

The souldiers billeting, or provision out, as afore<sup>s</sup>d, from the date of these presents, p week, 5 shill.

To billeting souldiers by y<sup>e</sup> meale, not exceeding two dayes, after two meales a day, 6<sup>d</sup> p meal.

To loss & dammage of armes & furniture as the committees of militias in the severall townes shall value, at a just & æquall prize.

To a horse at grass a day & a night, not exceeding two dayes at a time, fowr pence.

To a horse at grass one week, 1<sup>s</sup> 6<sup>d</sup>. To a horse at dry meat a day & a night, not exceeding two dayes at a time, six pence. To one horse at dry meat a week, 2 shill. To a horse hire by the week, two shillings. To a horse for a day or two, not exceeding four dayes, six pence p day. To a horse imprest as dragoone, to be paid as troopers horses. To posts, as the law directs. To provisions of all sorts, as bread, p hund<sup>rd</sup>; beife, porke, by the barrell, at the current prizes they are sould at the time they are taken up, to be pajd in money. To horses lost, as the law directs. To carting, 4 oxen & a man, 5 shillings p day; to a man with three horses & a cart, at five shillings p day, & so proportionable. To ferriage of souldiers & horse, halfe prize. To powder, two shillings p pound; musquet bullets, 8<sup>d</sup> per score, & small shott proportionable. To oates, according to two shillings p bushell, provided the billett of souldiers in perticular places be allowed by the committee for the warr, and the allowance for ferriage concerning some few perticular persons

1677.

24 May.

Law abt book  
debts suspend-  
ed for 3 years.

be suspended to further consideration; and that all bills signed and allowed by the committee of militia of the respective townes, according to the rates, shall be accepted and paid by the Treasurer.

In answer to the petition of sundry the inhabitants of Boston, humbly desiring that the law abt book debts be repealed, it is ordered, that the law respecting book debts shall be & hereby is suspended for three yeares longer from y<sup>s</sup> time.

[\*132.]

Double cus-  
tome for all  
wines, brandy,  
&c.

Prizes of  
horses, 3<sup>d</sup>, &c,  
rates.

\*It is ordered by the authority of this Court, that the custome of all wines, brandy, & rumme imported into this jurisdiction shall be doubled from henceforth to what it hath been paid.

Whereas it is manifest that the prizes of horses is much fallen to what they formerly were, & yett, by law, are to be rated at 5<sup>l</sup> p horse, it is therefore ordered by this Court & the authority thereof, that henceforth all horses & mares, from three yeares old & upwards, shall be rated at three pounds in a single country rate; between two & three year old at forty shillings, & between one & two yeares old twenty shillings; any law, custome, or usage to the contrary notwithstanding.

30<sup>th</sup> to Maj<sup>r</sup>  
Pynchon.

Whereas, by advice & order from the councill unto our friends of Connecticut, Major Pynchon was imployed to the Mohaucks, & his account of charges & expences amounting to the sume of one hundred twenty & eight pounds money, its ordered, y<sup>t</sup> the Treasurer discharge the same forthwith, that engagements may be taken of from those that passed the same on the countryes behalfe; & it is ordered, that Major Pynchon be allowed thirty pounds in money, he discharging the charge of the twelue men that went w<sup>th</sup> him out of the sume; & that the 3<sup>d</sup> summes aboue mentioned be paid by the Treasurer, & be proportioned by the commissioners at their next meeting, & charged upon the severall colonies according to the articles of confederation.

Courts acts as  
to our confed-  
erates joyning  
with us & send-  
ing to y<sup>e</sup> east-  
erne warr.

The Court having agreed to rayse forces for the suppressing of the enemy in the east parts, & the late newes of their further incursions requiring the hastning thereof, with an additionall number to those formerly mentioned, the Court judgeth it meet that our confederates be forthwith acquainted with the enemies motions, & our absolute necessity of a vigorous prosecution of the enemy, & that they be respectively requested to send their proportions of English to the number of one hundred, & of Indjans to the number of two hundred, with amunition & provisions accordingly; & for the more speedy hastning hereof, that meet messengers be sent with letters from this Court.

For defraying the charges allready expended upon the warr, & other charges arising in the future prosecution thereof, it is ordered by this Court and the authority thereof, that there shall be six single country rates assessed

& collected sometime within two months now next following, to be paid in specie, as formerly, & to abate one third part \*to any that shall pay money. Also, that the select men of the severall townes be allowed & impowred to rate by will & doome such as are known to be men of ability, whose estates in great measure ly out of y<sup>e</sup> reach of the law, being undiscovered, without abatement on acc<sup>o</sup>t of any mans paying for importation of goods; & in case of agreivance by over valluation, releife to be giuen to such in such a way as the law provides. And where any persons in any of the townes haue disbursed for the publick relating to the warr, they shall be allowed & payed the same out of the rates of such townes where they dwell; and that each townes proportion to a single rate be, according to the late valluation, transmitted to the Treasurer.

1677.

24 May.  
Order for 6  
rates.

[\*133.]

The county of York, with Dover & Porttsmouth, being behind in their rates in proportion [the remainder of page \*133, and pages \*134 and \*135, are in the handwriting of Secretary Rawson] with the rest of the country, it is ordered by this Court, that the Tresurer forthwith issue out his warrants for levying and collecting all rates lajd on the country which are behind vnpayd, according as the lawe provides, being in all thirty two single rates, including the sixe rates granted this present session.

Order for 32  
rates from Do-  
uer & Ports-  
mouth.

Whereas, for the preservation of the peace, suppression of vice, and accomodation of justice in seuerall parts of this jurisdiction where no magistrate dwells, it hath binn customary for this Court to authorize meet persons of quality & skill, and them to invest w<sup>th</sup> magistraticall power, it is ordered by this Court, that henceforth all such persons so appointed and allowed shall haue comission granted them accordingly from this Court and vnder the seale of this colony, according to the direction of the charter, wherein *wherein* shall be incerted the preservation of the peace, taking recognizances and binding ouer offendo<sup>rs</sup> to the County Court to which they belong, punishing all offences whose pœnalty is stated by law vnder forty shillings, or corporall punishment not exceeding tenn stripes, in such cases as are by law referred to the judgment of any one magistrate, taking depositions, joyning persons in marriage according to lawe, ending small causes and actions not exceeding forty shillings; & all this for the tyme being, & w<sup>th</sup>in the precincts of the toune where they dwell.

Order for co-  
missionating  
associates.

[\*134.]

\*Att a meeting of the counsell the 28<sup>th</sup> of December, 1676, vpon complaint made by the selectmen of Boston of the inconvenience of the strajtnes of the streets lately layd wast by the fire, it is ordered, that no person or per-

Councils act  
enabling y<sup>e</sup>  
selectmen to  
rectify the wast  
street.



1677. sons presume to build there againe w<sup>th</sup>out the advice and order of the selectmen, till the next Generall Court.

24 May.

By the councill.

EDW: RAWSON, Secret.

Selectmens order & staking out y<sup>e</sup> street, &c.

Att a meeting of the selectmen of Boston the 1<sup>st</sup> of January, 1676, w<sup>th</sup> divers of the inhabitants of the toun whose houses were layd wast by the late fier, the order of the honord council was read to them ; and the select men staked out the streets, and declared, that any man might rebuild his house with their approbation & consent, that should observe the ensuing directions concerning the street: that the west side of the streete from Major Thomas Clarks brick wall vnto a stake neere the corner of Thomas Joys land, in that lane which leads to the place of the north meeting house ; and from that stake along the sd west side of the way, as now staked out, to the corner of M<sup>r</sup> Edmund Mountfords foundation on the same side of the way ; and from the corner of M<sup>r</sup> Warrens house, vpon the east side of the way, to a stake in the land of Daniel Turin, Juñ, ouer against that of Thomas Joyes corner, where the streete is to be twenty & two ffoote in breadth, and so all along the street to Edmvd Mountfords two houses on each side of the way, the lñe to runne from the aforesajd stake at Daniel Turells to another at Henry Cooly<sup>s</sup>, & from thence to Edmond Mountforts on the east, and so to the corner of Peeter Gees house, as now staked out.

The length & breadth.

This is a true copie of a reccord taken out of the booke of reccords belonging to the toun of Boston. As attests

JN<sup>o</sup> JOYLIFF, Recordr.

Satisfaction to y<sup>e</sup> p<sup>ty</sup>s not consenting.

The act of the council & returne of the selectmen of Boston, as aboue, being read & p<sup>er</sup>vysd by the Court, who tooke notice that the street, as now layd out, is made wider & more accommodable to the publicke, & due satisfaction given & received by all persons concerned, one only excepted, the Court approoves of the act of the select men, and orders it to be proceeded in, & the person that hath not consented to haue the like proportionable satisfaction tendred him for so much of his land that is taken and staked out to y<sup>e</sup> streete.

1 June.

Gent<sup>n</sup> : —

Courts letter to Connecticott for their proportionable ayde.

These are to signify vnto yow the good pleasure of divine Prouidenc yett to suffer the ennemy to prevayle against our eastern plantations, wherein they haue lately killed sundry persons, & burnt doune some houses, and a considerable part wholly depopulated ; and wee are lately informed that they

growing numerous, and haue had recruits of affinitie from the French, are grown to a great highth of insolency, and doe threaten to spend the summer quarter in rainging vpon our westerne quarters, hoping to lay wast; \*the consideration whereof hath put this Court vpon a resolution of raysing forces for giving them a repulse; doe judge that lesse then one hundred English, accompanied w<sup>th</sup> two hundred Indians, willbe sufficient for giving them a repulse; in the prosecution whereof, considering the relation wherein wee stand one to another by the articles of confederation, wee judge <sup>it</sup> is our duty to acquaint yow heerewith, and in confidence that yow will not fayle to send your proportion of men, furnished with prouissions and affinitie, especially considering that the place of randevous willbe at Blackpoint, to w<sup>ch</sup> yow may, w<sup>th</sup> like facilitje as ourselues, transport by sea from New London, where we haue ordered our forces to meete the 26<sup>th</sup> of this instant. Expecting yo<sup>r</sup> compljance heerin, & speedy answer by the bearer, M<sup>r</sup> Bull, whom wee haue sent as our messenger to hasten the more speedy dispatch, that so wee may haue no fayleur in a matter of so great concernment to the publick peace, wee shall take leaue, comitting yow to the guidance, blessing, & protection of God Almighty. We are

Your freinds & confederates.

EDW<sup>d</sup> RAWSON, Secret<sup>y</sup>.

In the name & by order of y<sup>e</sup> Generall Court of y<sup>e</sup> Massachusetts.

1<sup>st</sup> Jue, 1677.

1677.

1 June.

[\*135.]

Sent by M<sup>r</sup>  
Bull 24 June.

Gent<sup>n</sup> :—

Wee suppose it is not vnknowne to yow the distresse that our easterne townes are in by reason of the comon ennemy, who is dajly infesting those parts, and hath proceeded on this side Pascataqua River. The expeditions wee haue formerly made against them wee haue given yow notice of, expecting your assistance, according to agreement of confederation, but haue not received answers thereto. The Generall Court, now sitting, haue concluded, as necessity doth require, to rayse three hundred men, one hundred English and two hundred Indians. Gent<sup>n</sup>, you well know your just proportion of that number, and our ready compljance w<sup>th</sup> yow in your distresse at the beginning of the present warr. Our expence in this eastern warr, wherein wee haue had no assistance from yourselues, hath already binn some thousands of pounds, besides the liues of our peopl<sup>e</sup> there; wee pray & expect that yow comply in sending your proportion; wee indeavo<sup>r</sup>, w<sup>th</sup> all expedition, to advance our forces so as that they may be at Blacke Point on the twenty sixth, whither your men may be easily shipped of from any of your townes, whenc

Gen<sup>l</sup> Courts  
letter to Pljm-  
outh for ayd.

Sent by M<sup>r</sup>  
Ammy Corlet.

1677.

1 June.

they may advance as intelligence & opportunity presents. Wee expect your compliance herein, & speedy answer heereto by the bearer, M<sup>r</sup> Ammy Corlet, or otheruise. Letters of the same import wee haue also dispatch<sup>t</sup> to our freinds of Connecticut, for their assistance accordingly. Comitting yourselues & council to the guidance of Almighty God, wee are,

Your freinds & confederates,

The Gener<sup>l</sup> Court of the Massachusets.

EDWARD RAWSON, Secret<sup>r</sup>,

& signed by y<sup>r</sup>ir order.

1<sup>st</sup> June, 1677.

[Page \*136 is in an unknown hand.]

[\*136.]

Ans<sup>r</sup> to Mary  
Allens peti<sup>o</sup>n.

\*In ans<sup>r</sup> to the peti<sup>o</sup>n of Mary Allen, late of Dearfeild, the Court judgeth it meet y<sup>t</sup> John Roote & his wife, who was lately the wife of Samuel Hinsdale, shall be and hereby are impowred to giue legall assurance of y<sup>e</sup> land therein mentioned unto the peti<sup>o</sup>ner, Mary Allen, & hir children, according to her desire.

Leif Thomas  
Hinchman cap<sup>t</sup>  
of the troop y<sup>t</sup>  
was lately Cap<sup>t</sup>  
Wheelers, &c.

The Court, being informed that Cap<sup>t</sup> Thomas Wheelers troop is much diminished, partly by his death & others, & partly by removall to other places, whereby there numbers doe not much exceed thirty troopers; considering also the benefit that may accrew to the country by upholding a troope on our outside townes, doe order & enact, by the authority of this Court it is ordered & enacted, that Leif Thomas Hinchman be cap<sup>t</sup> of y<sup>e</sup> sd troope, & M<sup>r</sup> John Flint his leu<sup>t</sup>, and all the troopers in Sudbury, Marlborough, & Concord, y<sup>t</sup> are at present under the com<sup>o</sup>mand of Cap<sup>t</sup> Thomas Prentice, are hereby ordered & required to performe y<sup>r</sup> service under the command of the sd Cap<sup>t</sup> Hinchman & his officers, as an addition to that troope.

Ans<sup>r</sup> to Edw<sup>d</sup>  
Flints peti<sup>o</sup>n,  
10<sup>th</sup> of the 20<sup>th</sup>  
fine remitted.

In answer to the peti<sup>o</sup>n of Edward Flint, of Salem, the Cōrt judgeth it meet to remitt & abate the peti<sup>o</sup>ner the one halfe of the 20<sup>th</sup> fine due to the country.

Courts ans<sup>r</sup> to  
M<sup>rs</sup> Belling-  
hams motion,  
& hir interest  
set out & de-  
clared.

In answer to the motion of M<sup>rs</sup> Penelope Bellingham, the relict widdow of the late hono<sup>r</sup>able Gof<sup>n</sup>our, Richard Bellingham, Esq<sup>r</sup>, deceased, this Court doth order, that she shall haue his dwelling house in Boston, & lands joyning, & other buildings adjacent, as also the farme now occupied by Samuell Townsend, during her naturall life, as also the household stuffe left her in the house, together with the ballance of M<sup>r</sup> Stoddards acco<sup>t</sup>, which is forty six pounds thirteen shillings, to be at her dispose, with two cowes she had, & 5<sup>li</sup> lent her, & three pound odd moneys in stuffe for a goun, delivered by the trustees, provided allwayes that she shall not make any strey or wast of

wood or timber, & at her chardge, from time to time, & at all times, keep the houses & fences tenantable & in good repaire.

1677.

In answer to the petition of Robert Symons, servant to Jn<sup>o</sup> Comes, humbly desiring the favour of this Court to remitt his fine imposed on him by the County Cōrt, the Court sees no cause to graunt his request.

1 June.  
Ans<sup>r</sup> to Symons petition.

In ans<sup>r</sup> to the petition of severall inhabitants & tradesmen of Boston, as shoemakers, cooper's, taylor's, & joyners, in ans<sup>r</sup> thereunto, the Court judgeth it meet to referr the consideration thereof to Edward Ting, Esq<sup>r</sup>, Cap<sup>t</sup> Hugh Mason, Cap<sup>t</sup> Stileman, & Cap<sup>t</sup> Fisher, a committee appointed by this Court, Mr Edward Ting to appoint time & place of meeting, to draw up something as to the regulation of trade, & to present the same to this Courts further consideration, at the next sessions of this Court.

Ans<sup>r</sup> to 4 tradesmens petition, shoemakers, cooper's, taylor's, joyners.

\*Gent<sup>n</sup>:—

[\*137.]

Vpon the motion of this Court formerly for the erecting a new ædifice for the colledge at Cambridge, wee received from yo<sup>r</sup> townes subscriptions of considerable value, at w<sup>ch</sup> time wee suppose there was vpon yow a serious sence of so good a worke, which procured so free a promise from yo<sup>r</sup>selues; but so it is that the ouerseers of that worke, who were entrusted to receive the same, make complaint that yow are yet behind considerably of your engagements on that behalfe, whereby the building is obstructed. The want of some supply makes the house wholly vseless, & frustrates the dono<sup>r</sup>s intentions & the countrys just expectation. Wee entreate & expect that yow hasten w<sup>th</sup>in two months to compleat your full summs, & remitt the same to M<sup>r</sup> Maning, & others of Cambridge betrusted in that matter, that the worke may be finished, and this Court prevented further trouble of taking the same by distresse. Herein yow will comply w<sup>th</sup> your owne duty. This is all I am comāded at present.

Gen<sup>l</sup> Courts letter to y<sup>e</sup> seu-  
erall ministers  
& selectmen of  
y<sup>e</sup> seu<sup>l</sup> townes  
ab<sup>t</sup> subscrip-  
tions to y<sup>e</sup> col-  
ledge, &c, &  
haue not p<sup>d</sup>.  
33.

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

In y<sup>e</sup> name & by order of the Generall Court.

Gent<sup>n</sup>:—

The necessity of the case presseth vs to writē these lines to excite & stirr vp the godly & well disposed minds of yo<sup>r</sup>selues, brethren, & neighbours, the inhabitants of Ipswich, &c, to joyne yo<sup>r</sup> helping hands in a free contribution for finishing the new bricke colledge at Cambridge, w<sup>ch</sup> being begvnn about two yeares since, and advanced in a good measure, but during the warr hath stood at a stay for want of mony to finish it; but now the old colledge being fallen doune, a part of it, and thereby rendered not habitable, and the new colledge

Court<sup>e</sup> letter y<sup>e</sup>  
ministers & select  
men of those  
towns y<sup>t</sup> haue  
not subscribed.  
11. Salem, Ips-  
wich. Sent  
forth both.



1677.

1 June.

is like to suffer much damage if it be not speedily finished, these considerations vrge vs to desire yow will follow the example of yo<sup>r</sup> brethren and neighbors in other parts of the country, & speedily collect what the Lord doth encljne the hearts of the good people of yo<sup>r</sup> toune to contribute for this good & publick worke. Touching the way & manner to effect this matter, wee leaue it to yo<sup>r</sup> prudence, only desire your dispatch in this affayre w<sup>th</sup>in a moneth or two at the furthest, and that yow will endeavor to procure what yow can in money, or that which is æquivalent, because the worke will neede such specie; and what yee shall doe herein, either by way of subscription, or receive in money or other pay, wee desire that yow will transmitt it to M<sup>r</sup> Maning and Deacon Cooper, of Cambridge, stewards for that affayre, whose receite shall be sufficient. Wee hope there is no neede of arguments to excite yow herevnto; wee shall only desire yow to consider that scripture, 1 Chron<sup>c</sup> 29, especially from verse 10 to 17, wherein David and the people of Israell gaue liberally vnto a good worke, praying God that he had given them hearts to offer so willingly, acknowledgging that all their substance came from God, & that of his oune they had given him, ver<sup>s</sup> 13. But wee shall add no more, but comitt yow to God, & remajne,

Yo<sup>r</sup> loving freinds, the Gen<sup>l</sup> Court of y<sup>e</sup> Massachusetts.

Signed by their order, EDW<sup>d</sup> RAWSON, Sec<sup>y</sup>.

Boston, 23 May, 1677.

[\*138.]

Courts comit-  
tee to repaire  
to Salisbury &  
heale y<sup>r</sup> dif-  
ferences.

\*In ans<sup>r</sup> to the petition of seuerall members of the church & inhabitants of the toune of Salisbury, it is ordered, that Major Generall Dennison, Thomas Danforth, & Joseph Dudley, Esq<sup>s</sup>, Major Thomas Sauage, Cap<sup>t</sup> Hugh Mason, Cap<sup>t</sup> Daniel Fisher, Major Samuel Apleton, & M<sup>r</sup> Thomas Graues, shall be & heereby are impowred, as the comittee of this Court, to repaire vnto Salisbury Towne, & conuene before them the inhabitants of the sajd place; & after a full hearing of the rise & grounds of the disturbance & contentions that haue of late yeares hapned amongst them, refferring to their civill & ecclesiasticall concernes, & to make such a conclusion as may haue a tendency to the healling of their spirits, and putting an end to their quarrells, & preventing the like for the future; and all persons concerned are required to attend time & place that shall be appointed for their meeting, & submitt to the determination that shall be by the comittee made & given, and the comittee is to make the report of their result to the next session of this Court.

Young men  
not able to help  
yselu<sup>s</sup> to be im-  
prt, & as many  
releast out of  
York, Doū, &c.

Information being given to this Court of sundry young men & single persons in the eastern countys that are out of employment, & not capeable to prouide for themselues, by reason of the troubles there; to the end they may

be the better provided for, & improved for the publicque safety, it is heereby ordered, that they be forthwith impressed into the countrys service, (by eastern countys is to be vnderstood the countjes of Yorkes, Dover & Portsmouth,) provided that there be as many of the souldjers from those parts now in garrison in those townes dismissed as are pressed & taken into the service aboue mentioned.

1677.

1 June.

Lef<sup>t</sup> W<sup>m</sup> Clarke, Lef<sup>t</sup> David Wilton, Lef<sup>t</sup> W<sup>m</sup> Alice, & Deacon Peter Tilton, returned to this Court as chosen to be associates for Hampshire Courts for y<sup>e</sup> yeere, were allowed of.

Hamp<sup>s</sup> associates.

Cap<sup>t</sup> Jn<sup>o</sup> Wincoll, Mr Edward Rishworth, Mr Samuel Whelewright, & Mr W<sup>m</sup> Symonds, returned to y<sup>e</sup> Court as chosen to be associates for y<sup>e</sup> county of Yorks for this yeere, was allowed & approved of by this Court.

Yorks associates.

Majo<sup>r</sup> Richard Waldron, Cap<sup>t</sup> Eljas Styleman, Mr Richard Martyn, & Cap<sup>t</sup> Th<sup>o</sup> Daniel, returnd to this Court as chosen associates for this yeare for the County Court of Douer, were allowed of by this Court.

Douer associates.

Cap<sup>t</sup> Nathaniel Saltonstall, Cap<sup>t</sup> Thomas Bradbury, & Mr Samuel Dalton, returnd to this Court as chosen associates for the County Court of Norfolke, were allowed & approved of by this Court for this yeare.

Norfolke associates.

Cap<sup>t</sup> Nathaniel Saltonstall is appointed to haue majestratticall authority in Hauerill for this yeare ensuing.

Cap<sup>t</sup> Saltonstall invested w<sup>th</sup> magistratticall authority in Hauerill.

Mr Samuel Dalton is appointed, & was alike impowred w<sup>th</sup> majestratticall authority in Hampton for this yeare ensuing.

So is Mr Dalton in Hampton.

Majo<sup>r</sup> Richard Waldron ffor Yorks, Douer & Portsmouth, and Cap<sup>t</sup> Elias Styleman & Mr Richard Martyn for Portsmouth & Douer, wer alike invested w<sup>th</sup> magistratticall authority for the yeare ensuing.

Douer &amp; Portsmouth comissioners, &amp;c.

\*Vpon a motion made in behalfe of the toune of Newbery for some meet person to be invested w<sup>th</sup> magistratticall power there for this yeare ensuing, Mr John Woodbridge, Señ, is impowred to act in all respects as any magistrate may doe w<sup>th</sup>in the said toune for the yeare ensuing.

[\*139.]

Mr John Woodbridge of Newberys power.

In ans<sup>r</sup> to the motion from the comitte of militia for the toune of Salisbury; the Court judgeth it meete that the comitte of militia take Majo<sup>r</sup> Pikes account as of other men, and that it be presented to those whom it doth concern, that due satisfaction may be made accordingly.

Major Pikes account to be taken.

In ans<sup>r</sup> to the request of Dedham, Cap<sup>t</sup> Daniel Fisher is heereby impowred and authorized to joyne persons in marriage in Dedham, legally published there, at least one of them, as also to take & give oaths there.

Cap<sup>t</sup> Fishers power to marry, &c.

In answer to the petiçon of Jn<sup>o</sup> Woods, constable of Marlborough, humbly informing that, since Marlborows scattering by the late warr, twenty seuen families are returned, and therefore desire he may convene the inhabit-

Ans<sup>r</sup> to Jn<sup>o</sup> Woods petiçon as to Marlborow choise of selectmen, &c.

1677.

1 June.

Courts ans<sup>r</sup> to  
Chebachos  
peti<sup>o</sup>n.

ants legally capeable to choose select men and other officers according to law, that so they may haue gouernment and order in the toune, the Court grants this request.

In ans<sup>r</sup> to the peti<sup>o</sup>n of the inhabitants of Chebacho, belonging to the toune of Ipsuich, humbly desiring the favour of this Court, that, to prevent the profanation of the Saboath, they living so remote, to grant them liberty to build themselues a meeting house, &c, —

The Court judgeth it meet to referr the peti<sup>o</sup>n<sup>ers</sup> to make their application to the toune of Ipsuich for a due consideration of their motion, and order the sajd toune to give in their answer to the same to the next session of this Court, in order to a determination therevpon.

Quartm<sup>r</sup> Per-  
kins account  
refferd.

The account of Quarter Master Perkins being exhibbited to y<sup>e</sup> Gennerall Court by Phillip Fowler, being perused, the Court finds many articles too highly chardged, and doe therefore referr the consideration thereof to the comi<sup>t</sup>tee of the army to examine, and passe what they finde just & meet to be allowed.

Ans<sup>r</sup> to Susan-  
na Ayres peti-  
o<sup>n</sup>.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Susanna Ayres, late of Quoboag, widdow, aljas Brookfeild, humbly desiring the favour of this Court that what she expended on & the souldjers had of her for y<sup>e</sup> countrys vse, as five pounds tenn shillings in swync, by Cap<sup>t</sup> Pooles order, as also seventeene shillings & seven pence Ephrajm Curtis had for him self & company, & horses, on the countrys account, w<sup>th</sup> what Majo<sup>r</sup> Willard had, which will appeare by the account, she may be \*pajd & sattisfied for, the Court grants hir request.

[\*140.]

Ans<sup>r</sup> to Mary  
Kemballs peti-  
o<sup>n</sup>.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Mary Kemball, of Bradford, widdow, humbly desiring the favour of this Court to comi<sup>s</sup>serate hir sorrowfull condition, that the payments due from hir to the country may be released till she shallbe capacitated & enabled to provide for her yrgent necessitjes, the Court judgeth it meete to grant hir request.

Ans<sup>r</sup> to Georg  
Blanchards pe-  
ti<sup>o</sup>n, &c.

In ans<sup>r</sup> to the peti<sup>o</sup>n of George Blanchard, Samuel Blanchard, Joseph Blanchard, & Thomas Shepheard, the law, title Possessions, if the peti<sup>o</sup>n<sup>ers</sup> make a true report, fully answers what is desired, and therefore the peti<sup>o</sup>n<sup>ers</sup> is referred to the com<sup>o</sup>n law.

Order enabling  
M<sup>r</sup> Elljot, re-  
lict to M<sup>r</sup> Jn<sup>o</sup>  
Elljott, to sell,  
&c.

It is ordered by this Court, that M<sup>rs</sup> Elisabeth Elljot, relict & sole executrix vnto the late M<sup>r</sup> John Elljot, pastor of Cambridg Village, w<sup>th</sup> the consent of the o<sup>u</sup>seers of the will, be, & hereby are, enabled w<sup>th</sup> full power to sell & alljenate the houses and lands in that place, lately belonging to the deceased, vnto M<sup>r</sup> Nehemiah Hubbard, minister of that place, or to any other person or persons, & their heires for euer, forasmuch as the sajd house goes to decay dayly, & repaires will ffarr exceed the rent, and the widdow &



hir sonn much suffer thereby, provided it be donn according to y<sup>e</sup> termes of the will. 1677.

In ans<sup>r</sup> to the petition of Elisabeth Bent, in behalf of hir sonn, Peter Bent, humbly desiring the remitment of the fines imposed, the Court judgeth it meet to suspend the tenn pounds fine to the country till this Court take further order therein. 1 June.  
Peter Bents  
10<sup>li</sup> fine sus-  
pended.

In ans<sup>r</sup> to the petiçõn of John Bridgham, Jn<sup>o</sup>than Bridgham, & Joseph Bridgham, Henry Allin, Robert Sanderson, ouerseers to the two younger brothers, &c, the Court judgeth it meet to referr the consideration & determination of their petiçõn to the County Court for Suffolke to make diuission & settlement of what is petiçõned for as they shall judge æquall, according to law. Ans<sup>r</sup> to John  
Bridgham pe-  
tiçõns, &c.

This Court, on sundry considerations them mooving therevnto, doe grant vnto Thomas Eames two hundred acres of land, to be lajd out in any free place, not prejudicing the laying out of a plantation. Courts grant  
200 acres to  
Tho. Eames.

In ans<sup>r</sup> to the petiçõn of seuerall troopers formerly vnder Cap<sup>t</sup> George Coruin, humbly desiring the favour of this Court to grant them a dismission from trayning, &c, the Court grants the petiçõners request, provided they once w<sup>th</sup>in two moneths ljt themselves in some other troope, or otheruise to returne into the ffoot companies in the townes where they live. Salem troop-  
ers liberty, &c.

In ans<sup>r</sup> to the petiçõn of W<sup>m</sup> Needome, the Court declares that the five pounds mentioned in his petiçõn, being divided amongst the souldjers for salvage, cannot be recalled. Ans<sup>r</sup> to W<sup>m</sup>  
Needams peti-  
çõn.

\*An account of the late Cap<sup>t</sup> W<sup>m</sup> DAVIS, presented to this Court by Benjamin DAVIS, his son & execut<sup>r</sup>, the Court refferred it to the cõmittee of the army & cõmissarys for examination & approbation. [\*141.]  
Cap<sup>t</sup> DAVIS ac-  
co<sup>t</sup>. Cõmittees  
of armys re-  
turne.

The cõmittee of the army made their returne, wherevpon the Court orders the Tresurer of the country to make payment of the summe of one hundred & seventy pounds seventeene shillings & seven pence money. Treas<sup>r</sup> to pay  
170<sup>li</sup> 17<sup>s</sup> 7<sup>d</sup>.

In ans<sup>r</sup> to the petition of M<sup>r</sup> John West, deputy for Beverly, and on their behalf, the petiçõners request is granted, & Cornet Whiple being appointed, in case the majo<sup>r</sup> geñll cannot attend it, in his roome, to proceed w<sup>th</sup> the other gent<sup>l</sup> formerly appointed to vejw the place as in the former order is provided, & that they make their returne to this Court at their next sessions. Ans<sup>r</sup> to Beuer-  
ly petiçõn.

In ans<sup>r</sup> to the request of seuerall merchants of Boston, declaring that they haue heard many complaints made by merchants and others that haue binn sensible of the losse of letters, whereby merchants w<sup>th</sup> their freinds & employers in forreigne parts arè greatly damified, many times letters are throune vpon the exchange, that who will may take them vp, &c, therefore M<sup>r</sup> John Hay-  
ward postmas-  
ter, &c.



1677.

1 June.

humbly desire this Court to depute some meete person to take in & convey letters according to y<sup>r</sup> direction, this Court judgeth it meete to grant the petitioners request herein, & haue made choyce of M<sup>r</sup> John Hayward, the scrivener, to be the person for that service.

Ans<sup>r</sup> to Priscilla Leuerdeurs petition.

In ans<sup>r</sup> to the petiçon of M<sup>rs</sup> Priscilla Leuerdeur, the Court sees no cause to remitt or abate the mulct as petiçoned for.

Ans<sup>r</sup> to Wrenthams petiçon.

In ans<sup>r</sup> to the petiçon of the inhabitants of Wrentham, the Court grants the petiçoners request, and orders Ensigne Thomas Fuller to be of the comittee, in the roome of the late Capt Foster, to vejw, & make return to y<sup>a</sup> Court.

Order about Joseph Kellog.

It is ordered by this Court, that Joseph Kellog, ferryman, of Hadley, be payd by the Tresurer of the country forty pounds, as allowance for his losse of his teame, impressed for the countrys service, and w<sup>th</sup> reference to his ferriage of souldjers, prouided that the forty pounds aboue mentioned be extended no further then the first of May last was twelue month w<sup>th</sup> relation to ferriage.

Ans<sup>r</sup> to selectmen of Marbleheads petiçon.

In ans<sup>r</sup> to the petition of the selectmen of Marblehead, it is ordered, that M<sup>r</sup> Moses Mauricke, Samuel Ward, & Ambrose Gale shallbe, and heereby are, empowred as comissioners to end smale causes at Marblehead according to

M<sup>r</sup> Moses Maurick to marry & take oath, &c.

law; and also that M<sup>r</sup> Maurick haue power to joyne persons in marriage w<sup>th</sup>in the said toune where no legall impediment appeares, and also to administer oathes both in civil & criminall cases.

[\*149.]

Courts order as to M<sup>r</sup> James Russell accounts & payme

\* In ans<sup>r</sup> to the petition of M<sup>r</sup> James Russell, excecutor to the last will & testament of Richard Russell, Esq<sup>r</sup>, it is ordered by this Court, that the Tresurer doe forthwith make payment of the petiçoners accounts yet resting to him, and that the comittee which auditted his former accounts doe againe meete & audit what he hath further to psent as due to the peticoner from the country, and to make returne of what they shall finde due to the present sessions of this Court if it may be effected.

314<sup>th</sup> 04<sup>th</sup> 7.

It is ordered, that the ballance of the late Tresurer Russells accounts, put into this Court by M<sup>r</sup> James Russell, his son & excecutor, amounting to one hundred & seventy pounds seventeen shillings & fower pence in money, & one hundred forty three pounds seven shillings & three pence, in all three hundred & fowerteen pounds fower shillings & seuen pence, be payd by the Tresurer to the said M<sup>r</sup> James Russell, excecutor to y<sup>e</sup> last will, &c, and in the species as aboue.

Order abt Hampshire disbursm<sup>ts</sup>.

This Court, hauing ordered the accounts of Hampshire disbursments to be examined by the comittee for the warr, & the returne to be made to the Court now sitting, the said comittee declaring they cannot goe through the

same before the Court breakes vp, it is ordered, that the returne of the comitte be brought in to the council for their approbation, and ordering payment by the Treasurer.

1677.

1 June.

In ans<sup>r</sup> to the petition of Major Bryan Pendleton, the Court, on pervsall of the returne of the comitte, to whom they reffered the examination of the matter exprest therein, doe order, that the petitioner be payd for his fower oxen twenty pounds by the country Treasurer, & for other things mentioned in his petition, that he haue liberty to take it where he can finde it.

Courts ans<sup>r</sup> to  
Maj<sup>r</sup> Pendle-  
tons peti-  
con.

In ans<sup>r</sup> to the petition of Rachell Pouter, of Billirrica, widdow, the Court judgeth it meete to reffer the consideration thereof to the next County Court, in reference to the grounds & reasons thereof.

Ans<sup>r</sup> to Rachell  
Pouters peti-  
con.

In ans<sup>r</sup> to the petition of seuerall the inhabitants of Rowley, Maximilljan Jewett, &c, this Court declares, that in case the difference in the tounce & church of Rouley, mentioned in the peti-<sup>con</sup>, be not taken vp & healed betweene themselues before the next sessions, the s<sup>d</sup> case then to be heard on the third day of the next sessions, and all partjes concerned are to take notice thereof, and make their appearance accordingly.

Ans<sup>r</sup> to Rowley  
petition.

[Pages \*143, \*144, and \*145 are in an unknown handwriting, with interlinations by Secretary Rawson.]

\*In ans<sup>r</sup> to the humble motion of the towne of Hadly by their deputy, it is ordered, that Leif<sup>t</sup> Sam<sup>l</sup> Smith shall be, and hereby is, impowred to solemnize marriage & take depositions in the towne of Hadly.

[\*143.]

Leif<sup>t</sup> Sam<sup>l</sup>  
Smith to marry  
& giue oaths at  
Hadly.

In answer to the pe<sup>tion</sup> of Major Thomas Clarke & M<sup>rs</sup> Mary Lake, relict of the late Cap<sup>t</sup> Thomas Lake, it's ordered, that the two gunns mentioned in their pe<sup>tion</sup>, brought to Boston by Major Waldron, be againe restored to them.

Ans<sup>r</sup> to Major  
Clarks & M<sup>rs</sup>  
Mary Lakes  
peti-<sup>cons</sup>; y<sup>r</sup>  
gunns to be  
restored.

In ans<sup>r</sup> to the pe<sup>tion</sup> of W<sup>m</sup> Bennet, in y<sup>e</sup> behalfe of himselfe & the rest of the inhabitants of the towne of Manchester, it is ordered, y<sup>t</sup> Samuel Gardner, of Salem, John Dodge, of Beverly, Leif<sup>t</sup> Philip Nelson, of Rowley, & Cap<sup>t</sup> W<sup>m</sup> Gerrish, of Newberry, or any three of them, be a committee to vei<sup>w</sup> & state the bounds between Ipswich & said Manchester, & make y<sup>r</sup> returne to the Court for determination.



Ans<sup>r</sup> to Man-  
chesters peti-  
con; a comitte  
appointed.


In ans<sup>r</sup> to the pe<sup>tions</sup> of Major Richard Waldron & Major Robert Pike, the Court doth order, that the s<sup>d</sup> Barefoot be againe returned to jayle, in satisfaction of the execution out ag<sup>st</sup> him, & the pe<sup>tions</sup>, and either of them, are hereby impowred to effect the same, all marshalls & constables being hereby required to yeeld assistance therein, that the same be forthwith effectually endeavoured, or else the judgment of Salisbury Court to stand good ag<sup>st</sup> the pe<sup>tions</sup>, & the County Court, that respited the execution, on complaint made, are accordingly to giue order for levijng the same.


Ans<sup>r</sup> to Maj<sup>r</sup>  
Waldron &  
Major Pikes  
peti-<sup>on</sup> as to  
Barefoot, &c.

1677.

1 June.

Bradford brand  
marke,   
Concord brand  
marke, 

In answ<sup>r</sup> to the petiōn of the inhabitants of the towne of Bradford, humbly desireing the favour of this Cōrt to apoint them a brandmarke, as set in their petiōn, the Court graunts their request, as it is here, 

In ans<sup>w</sup> to the request of the towne of Concord, the Court graunts that the mark y<sup>v</sup> presented be their townes brandmark, 

Answ<sup>r</sup> to Clement  
Gross' peti-  
tion.

In answ<sup>r</sup> to the petiōn of Clement Gross, who declared that, by the instigation of his late wife & friends, & by a wile, he was drawn to signe & seal to an instrument he never vnderstood, conveying all his estate to M<sup>r</sup> Rich<sup>d</sup> Collicot & Sargeant Norden, his feofees in trust, to her & her childrens use, leaving him nothing to pay his debts, &c, humbly begging the favor of this Court to null the same, the sd feoffees were sent for, brought in their deed, & on the back thereof endor<sup>sd</sup>. Wee, whose names are underwritten, being feofees in trust for y<sup>e</sup> children within mentioned in this deed, upon the motion of the honoured Generall Court, now assembled, y<sup>e</sup> 23<sup>d</sup> May, 1677, doe hereby renounce our trust and any right to the within mentioned premises for the sd children and our selues, as we are concerned therein, not doubting but the Gen<sup>l</sup>l Court will settle an estate upon the children æquall with y<sup>e</sup> rest of Clement Gross his other children, & see they will be brought vp during y<sup>r</sup> nonage. Boston, 26 May, 1676.

RICH<sup>d</sup> COLLICAT,  
SAMUEL NORDEN.

Witness, Thomas Gross,  
John Williams.

Referred to the  
County Courts  
determination.

The feofees were sent for, & appearing in Court, made y<sup>r</sup> surrend<sup>r</sup>, & renunciation of their power & interest in the deed, which the Court orders to be transmitted to the County Court for Suffolke, & that it be entered on y<sup>r</sup> reccords, & that some due care be taken for the education & portions of the two children mentioned by the County Court, Clement Gross being at the charge solely of this accon as to coppies & recording.

W<sup>m</sup> Cogswell  
p<sup>d</sup> y<sup>e</sup> 10<sup>th</sup> in  
corts. Costs,  
11<sup>th</sup> 7<sup>s</sup> 10<sup>d</sup>.

In the case of W<sup>m</sup> Cogswell, executor, &c, by his petition, plaintiff, ag<sup>st</sup> John Cogswell, defend<sup>t</sup>, after all the evidences in the case produced were read and duly considered, the Court found for the defend<sup>t</sup>, besides ten pounds for the hearing of the case, costs of Court twenty seven shillings & ten pence.

[\*144.]

Jn<sup>o</sup> Cogswell  
pl<sup>t</sup> ag<sup>t</sup> W<sup>m</sup>  
Cogswell de-  
f<sup>nd</sup>.

\*In the case of John Cogswell, pl<sup>t</sup>, by his petiōn, ag<sup>st</sup> W<sup>m</sup> Cogswell, executor, &c, def<sup>nd</sup>, after all evidences in the case produced were read & duely considered of, the Court found for the plaintiff, Jn<sup>o</sup> Cogswell, viz<sup>t</sup>, the settle-ment of the farme to him & his heires, according to the lease from the towne

of Ipswich, & the reversing of an execution for which he was in prison, for Court charges, with five pounds for hearing the case, & costs of Courts, in all nineteen pounds two shillings & sixpence.

1677.

1 June.

It is ordered, y<sup>t</sup> John Price be cap<sup>t</sup>, & Jn<sup>o</sup> Higginson be leif<sup>t</sup>, of the easterly foot company at Salem.

Dudly Broadstreet is appointed cap<sup>t</sup> to the foot company at Andever.

Jonathan Wade is appointed cap<sup>t</sup> of the Three County Troope, & Corporall W<sup>m</sup> Green cornet, Isaak Brooks quarter master, of that troope.

John<sup>r</sup> Haughthorne is appointed cap<sup>t</sup> of the foot company in Beverly, Jonathan Poole cap<sup>t</sup> for Redding.

Daniel Turin is appointed leif<sup>t</sup> to Major Clarks foot company in Boston.

Joseph Dudley, Esq<sup>r</sup>, is appointed cap<sup>t</sup> to the foot company in Roxbury.

Joseph Dudley, Esq<sup>r</sup>, Cap<sup>t</sup>,  
Rox., &c.

W<sup>m</sup> Stoughton is appointed to be cap<sup>t</sup> to the foot company in Dorchester.

Peter Bulkly is appointed cap<sup>t</sup> to the foot company in Concord.

Mr Joseph Cook is appointed leif<sup>t</sup> to Major Googins foot company in Cambridge.

It is ordered by the artillery company in Boston, 7<sup>th</sup> September, 1657, —

Ancient &  
Honorable  
Company.

1. That, whereas there is an agreement & order that every member of the company is to pay fowr shillings p year for their quarterages into the hands of the clerke, y<sup>t</sup> whatsoever is due from any of the company shall be paid within one month into his hands who is the pre ent clerke.

2. It is further ordered by the company, that, for time to come, every one that is a member of the company shall pay into the hands of the clerke, vpon the election dayes, or before, his quarterage for the yeare past.

3. It is further ordered by the company, that the trayning dayes for this company be five yearly, & they to be on the first Mundayes of April, May, June, September, & October, yearly, & that then every officer & souldier is to appear at their colours by eight of the clock in the morning; & if the Munday proue foule, y<sup>e</sup> Friday after is appointed.

4. It is further ordered by the company, y<sup>t</sup>, if any shall neglect to appear in armes four trayning dayes together, and not giue an account of it to the satisfaction of the company, he shall then pay to the company what is due both for fines & for quarterages, & haue his name put out of the rowle, & no more to be accounted a member of the company.

5. It is further ordered by the company, that if any be chosen to any office in y<sup>e</sup> company, & hath not born an higher office in the company before, & shall refuse to hold the office he is chosen to, he so far slighting the company, shall pay what arrears he is yet behind to the



1677. company, & haue his name put out of the company's roule, & no longer be acknowledged a member of the company.

1 June.

6. It is farther ordered by the company, that the clarke, without any farther order, shall haue full power to distreine for any fines or quarterages due to the company that shall be vnpaid one month after they are due.

7. It is farther ordered by the company, that the clarke shall every trayning day bring the book of the companies ord's into the feild, that it may be there not only to call over the company, [bu]t to enter any that is admitted, & enter any orders y<sup>t</sup> shall be made.

8. It [i]s farther ordered by the company, that the clarks accōt, yearly, shall, after the day of the election, & before the next trayning day in September, be audited by those who were the commission officers the year past with the cap<sup>t</sup> & clarke y<sup>t</sup> is new chosen, that accounts may be dilivered into the new clarks hands.

9. It is farther ordered by the company, that whereas no towne trayning is to be vpon artillery dayes, yet the *yet the* comāder of the artillery may haue liberty to request so much favour of any cap<sup>t</sup>, and he not be a transgressor of the order to graunt it, to meet with his company upon such dayes with the artillery for the better helping forward discipline in the company.

[\*145.] \*10. It is farther ordered by the company, that a perfect list shall be taken of the members of the company, &, being perfected, shall be called ovē every trayning day.

It is also desird by y<sup>e</sup> company, that these seū<sup>ll</sup> order may be presented by Major Atherton to y<sup>e</sup> council for their approbation of them, y<sup>t</sup> so they may carry more authority w<sup>th</sup> y<sup>em</sup>. Aprill 5, 1675. It was y<sup>en</sup> voted by y<sup>e</sup> artillery company, y<sup>t</sup> y<sup>s</sup> orders of y<sup>e</sup> company be presented by Thomas Clark, Esq<sup>r</sup>, to the General Court or councill for their confirmation.

P JN<sup>o</sup> MORSE, Clark.

The Court, having pused the aboue written orders of the artillery company, doe allow & approue thereof. As attests

EDWARD RAWSON, Secy.

John Alden,  
plaintiff, ag<sup>st</sup>  
Major Thomas  
Clark.

In the case now depending between John Alden, plaintiff, ag<sup>st</sup> now Major Thomas Clark, Esq<sup>r</sup>, defendant, in an action of the case comming to this Courts cognizance by peñion, whereby he complaines of dammage to the vallue of 6 thousand foot of boards, or eighteen pounds of silver, & all due dammages, the Court, on a full hearing of the case & all evidences therein, doe find for the plaintiffe a reversing of former judgments in the case & costs of Court.

In ans<sup>r</sup> to y<sup>e</sup> petiçōn of Thō Haukins, the Court g<sup>r</sup>ted a hearing of y<sup>e</sup> case on Tuesday next, & parties concernd to be sūmōned to attend y<sup>s</sup> concerne.

1677.

This Court, having taken into consideration the peñion of Thomas Haukins, plaintiff, ag<sup>st</sup> Sampson Sheafe, defnd<sup>t</sup>, together with the promise made to the s<sup>d</sup> Haukins before & after the mortgage, & the ingagements of the s<sup>d</sup> Sheafe to Leif<sup>t</sup> Rich<sup>d</sup> Cooke or his assignes, trustees for and in behalfe of the wife & children of s<sup>d</sup> Hawkins, and hauing heard the allegations & all the euidence in y<sup>e</sup> whole buisnes, doe finde for the sayd p<sup>t</sup>, y<sup>e</sup> s<sup>d</sup> Hawkins, & doe order for a finall issue, that s<sup>d</sup> Sheafe do pay to Richard Collecot, assignee of Richard Cook, the summe of seventy five pounds in money to the s<sup>d</sup> Sheafe, to be discharged, and the s<sup>d</sup> Collicot to giue caution to the County Court of Suffolk for the payment & improuement of the s<sup>d</sup> summe of s<sup>d</sup> Hawkins, his wife, & children, from time to time, as the s<sup>d</sup> County Court shall see cause, & giue order <sup>^</sup> the s<sup>d</sup> Sheafe to pay all costs of Courts, & for this Courts hearing of the case, five pounds, with costs, forty two shillings & two pence.

1 June.

Thomas Hau-  
kins ag<sup>st</sup> Samp-  
son Sheafe. &c.

In answer to the petiçōn of Mr Richard Wharton, humbly desiring that the sentanc of this Court in May, 1674, laying a restreint vpon him from pleading any cause but his owne & Mr Bellinghams, thrō a misrepresentation of matters then chardged on him, that he maybe released therefrom, &c, the Court judgeth it meet to grant his request therein.

Ans<sup>r</sup> to Mr  
Wharton peti-  
çōn, & is on  
file.

In ans<sup>r</sup> to the petiçōn of Jonathan Atherton, the Court, on perusall thereof, declare, they see no reason to graunt his request therein.

In answer to the peñion of Benanuell Bowers, the Court judgeth meet to referr the consideration thereof to the next County Court in Middlesex for answer.

Benanuell Bowers, of Charlstowne, now in Cambridge, upon the 5<sup>th</sup> day of March last, did, by the hand of Elizabeth, his wife, present, together with a Quakers book, a paper of scurrilous verses, superscribed to Thomas Danforth, magistrate, wherein not only the person of the honoured Mr Danforth is much defamed, & the hono<sup>r</sup> & dignity of his place, but also our honoured magistrates vilified, slighted, & contemned, & our ministry highly reproached, which s<sup>d</sup> paper of his hath been presented to & perused by this Court, & the s<sup>d</sup> Bower had opertunity to answer for himselfe, & being legally convicted, by sufficient testimony, of this his scandelous offence, the Court doth sentence him, the s<sup>d</sup> Bower, for such his offence, to be openly whipt the next fifth day, after lecture, in Boston, with twenty stripes, & that a declaration be made, & then & there read, of the cause of his punishment.

1677. \**Att a Gennerall Court, held at Boston, 10<sup>th</sup> of October, 1677.*

10 October.

[\*146.]

PRESENT, Jn<sup>o</sup> Leu<sup>r</sup>et, Esq<sup>r</sup>, Gō,  
Sañ Symonds, Esq<sup>r</sup>, Dep<sup>t</sup> Gō,  
Symon Bradstreet,  
Daniel Gookin,  
Daniel Dennison,  
Thomas Danforth,  
W<sup>m</sup> Hauthorn,  
John Pinchon,  
Edward Tyng,  
Thō Clarke,  
Joseph Dudley.

The deputies that served at this Court are to be sēene in y<sup>e</sup> deputjes booke.

Cap<sup>t</sup> Thō Sauage was chosen Speaker for y<sup>e</sup> session.

**W**HEREAS many secret attempts haue binn lately made by euil minded persons to set fire in the towne of Boston and other places, tending to the destruction of the whole, this Court doeth account it their duty to vse all lawfull meanes to discouer such persons and prevent the like for time to come.

Bee it therefore ordered & enacted by this Court and the authority thereof, that the law, title Oath<sup>s</sup> and Subscriptions, page 120, sect 2<sup>d</sup>, requiring all persons, as well inhabitants as straingers, (that haue not taken it,) to take the oath of fidelity to the country, be reuiued and put in practise through this jurisdiction. And for the more effectuall excecution thereof, it is ordered by this Court, that the selectmen, constables, and tithingmen, in euery towne, doe, once euery quarter of a yeare, so proportion and diuide the precincts of each towne, and goe from house to house, and take an exact l<sup>ist</sup> of the names, quality, and callings of euery person, whither inhabitant or stranger, that haue not taken the sajd oath, and cannot make due prooffe thereof; and the officers aforesajd are hereby required forthuith to returne the names of such persons vnto the next magistrate, or County Court, or cheife military officers in the towne where no magistrate is, who are required to give such persons the sajd oath prescribed in the law, wherein not only fidelity to the country, but allegiance to our king, is required; and all such as take the sajd oath shallbe recorded and enrouled in the county reccords by the clarke of each

County Court, & all such as refuse to take the said oath, they shall be proceeded against as the said law directs. And further, this Court doeth declare, that all such refusers to take the said oath shall not have the bennefits of our laws to implead, sue, or recouer any debt in any Court or Courts w<sup>th</sup>in this jurisdiction, nor have protection from this goũment whilst they continue in such obstinate refusall.

1677.

10 October.

And, furthermore, it is ordered, that if any officer intrusted w<sup>th</sup> the execution of this order doe neglect or omitt his or their duty therein, they shallbe fined according to their demerrits, not exceeding five pounds for one offence, being complained of or presented to the County Courts or Court of Assistants; and this law to be forthwith printed and published, and effectually executed from & after the last of November next; and that all persons that administer the oath abouesaid shall in like manner make returne of the names of such persons so sworne to the respective clarks of the County Courts.

\*This Court being informed, by letters received this day from our messengers, of his maj<sup>ties</sup> expectation that the acts of trade and navigation be exactly and punctually observed by this his maj<sup>ties</sup> colony, his pleasure therein not hauing binn before now signified vnto us, either by expresse from his majesty, or any of his ministers of state, —

[\*147.]

His maj<sup>ties</sup> acts  
of nauigation  
and trade to be  
observed on  
penalty, &c.

It is therefore hereby ordered, and by the authority of this Court enacted, that henceforth all masters of ships, ketches, or other vessells of lesser or greater burden, arriving in or sayling from any of the ports of this jurisdiction, doe, w<sup>th</sup>out covin or fraud, yeild faithfull and constant obedience vnto and observation of all the said acts of nauigation and trade, on penalty of suffering such forfeitures, loss, and damage as in the said acts are particularly expressed; and the Gouverno<sup>r</sup> and council, and all officers coĩmissionated and authorized by them, are hereby ordered and required to see to the strict observation of the said acts.

As an addition to the late law made in May last, for the prevention of profanation of the Saboath, and strengthening of the hands of tything men appointed to inspect the same, —

Addition to y<sup>e</sup>  
law title Sa-  
boath, tything  
mens power,  
&c.

It is ordered, that those tything men shall be and are hereby appointed and impowred to inspect publicke licensed houses, as well as private, and vnlicensed houses, houses of enterテインement, as also ex officio to enter any such houses, & discharge their duty according to law; and the said tithing men are impowred to asist one another in their seuerall precincts, and to act in one anothers precincts, *and to act in one anothers precincts* w<sup>th</sup> as full power as in their oune, and yet to reteyne their speciall charges w<sup>th</sup>in their oune bounds.



1677.

10 October.

Order for a day  
of thanksgiv-  
ing printed.

And it is ordered, that the whole fine rayed by the pœnalty of this lawe vpon delinquents, either in publick or private houses, shallbe remitted to the county Tresurer, and the tything mens allowance made payable from him.

It is ordered, that the third Thirsday in November be set apart for a day of publick thanksgiving, and that there be a bill drawne for that purpose, as to the great plentifull harvest, a cessation of the wrath and rage of the ennemy in a great measure, &c. W<sup>ch</sup> was don, & printed, published, & kept accordingly.

Orders abt the  
Castle to couer  
it w<sup>th</sup> lead, &c.

The Castle walls being in dainger & prejudice, by the not couering, and order being already past for finishing the couering, but hitherto neglected, this Court doe order, that y<sup>e</sup> former co<sup>m</sup>ittee take speedy care to buy & contract for lead for the doing of it, and sett workemen vpon the worke, y<sup>t</sup> it maybe finished before winter, and that the country take care to pay for the same accordingly.

[\*148.]

Order for 3  
rates, 2 in  
mony & y<sup>e</sup> 3<sup>d</sup>  
in country pay.

\*To the end that there may be a supply made to augment the publicke treasury, that due sattisfaction may be made to such as to whom the country is indebted, it is hereby ordered, that there be forthw<sup>th</sup> levyed vpon the seuerall inhabitants of this jurisdiction two country rates, to be pajd in money, and one country rate more to be pajd in country pay; the prises of all sorts of corne and other things pajd in the single country rate to be according to the last order of this Court w<sup>th</sup> relation therevnto. And it is further ordered, that the transportation of all things payd in the country rate shallbe at the chardge of the country, according to law; and that if any person or persons shall pay their single country rate in money, shall be abated one third p<sup>te</sup>.

Courts order  
for a present to  
his maj<sup>ty</sup>.

It is ordered, that the Tresurer doe forthwith prouide tenn barrells of cranburyes, two hogsheads of speciall good sampe, and three thousand of cod ffish, to be sent to our messengers, by them to be presented to his majesty, as a present from this Court.

Courts order &  
co<sup>m</sup>ittee to  
take y<sup>e</sup> trustees  
or stewards of  
y<sup>e</sup> colledg ac-  
counts, &c.

It is ordered by this Court and authority thereof, that Cap<sup>t</sup> Thomas Bratle for Suffolke, Majo<sup>r</sup> Samuel Apleton for Essex, Cap<sup>t</sup> Lawrence Hamond for Midlesex, Cap<sup>t</sup> Nathaniel Saltonstall for Norfolke, Leuten<sup>nt</sup> Wilton for Hampshire, M<sup>r</sup> Samuel Whelewright for Yorkshire, M<sup>r</sup> Eljas Styleman for the county of Douer & Portsmouth shallbe a co<sup>m</sup>ittee, and are hereby im-  
powred and authorized by this Court to take the account of the stewards of the new bricke building at the colledge, or any two of them, and to examine what rests yet behind, and vnpayd of the contrybutions in the seuerall townes, and to make returne of what they finde to the Gouverno<sup>r</sup> and council, in case of fayleur of the rest, who are by this Court requested to take effectuall course for the requiring what is yet due of all such persons as are yet liuing and

residing in such townes, or haue estate remayning, whereby they may make good such engagements, that so the account may be cleared before the Court of Election; as also that such townes and persons that haue not voluntarily subscribed may be stirred vp to contribute proportionably w<sup>th</sup> their brethren in their subscriptions.

And it is further ordered, that any three of the aboue named gentlemen meeting at Cambridge shall be accounted a legall meeting, and haue power of action, and that Captaine Brattle appoint the time of meeting. The gentlemen of Hampshire, Yorkshire, Douer and Portsmouth may send their account to the gentlemen at their meeting at Cambridge.

1677.

10 October.

\*To the high & mighty Prince Charles the Second, by the grace of God king of England, Scotland, France, & Ireland, deffendor of the ffaith, &c.

[\*149.]

22 October.

Illustrious S<sup>r</sup>: —

Generall  
Courts ad-  
dresse to his  
maj<sup>ty</sup>.

Your majestjes benignity appearing vnto us in our former addresses imboldens us at this time to prostrate ourselues before yow, humbly to acknowledge your royall grace & ffavour therein, more especially expressed by your majesty to the gentlemen, our messengers, sent with our last addresse to attend your majestjes comānds, which favour & grace, according to our humble confidence, hath binn effectually to repell those false clamours which haue been layd before your majesty against us by some that haue not binn well affected to us, nor to your majestjes seruice w<sup>th</sup> us, in which grace, as wee haue a sence of divine favour therein, so we hope wee shall be enabled by the influences thereof to act so as to render ourselues at all times religiously obseruant of our duty to God, and loyalty to your majesty, our king, that wee may be euer numbred among your maj<sup>ties</sup>, though poore, yet humble & loyall subjects.

Wherefore wee pray your majestjes gracious acceptanc of and pardon for this mite of acknouledgment from your poore subjects, w<sup>th</sup> the continuance of yo<sup>r</sup> gracious promised favour to us, who are obliged to continue dayly prayers for your maj<sup>ties</sup> long life, happy & glorious raigne.

Great S<sup>r</sup>,

Your maj<sup>ties</sup> humble & loyall subjects,

JOHN LEUERET, Go<sup>u</sup>, in y<sup>e</sup> name

of the Gen<sup>l</sup> Court.

22 October, 1677.

1677. Right Honour<sup>ble</sup> —

22 October.  
Courts letter  
to lord chan-  
cellor.

[\*150.]

As wee haue great & abundant cause for euer, w<sup>th</sup> thankfull & loyall hearts, to acknowledge the clemency & benignity which his sacred maj<sup>ty</sup> hath binn euer pleased to extend to this his poore plantation, in confirming our charter granted by his royall father, of blessed memory, not only w<sup>th</sup>out any infrigement, but some times w<sup>th</sup> intimation of his readynes to grant what might be further advantageous and beneficiall for the people here, to the great comfort & encouragem<sup>t</sup> of his maj<sup>ties</sup> dutyfull & loyall subjects in this remote parte of the world in the tyme of their greatest sufferings; so the deepe sence wee haue of your honors candor and favour \*vouchsafed on our messengers in owning our righteous cause in this our low condition, and admitting a favorable hearing of them in refference to our concernes, hath made an indellible impression of grattitud and acknouedgment vpon the hearts of his maj<sup>ties</sup> subjects here, and imbouldend us ffurther humbly to begg your honors just favour, countenance, & assistance, as the necessity of our concernes may call for. Wee doubt not but our messengers, or their council, haue declared that after the gouernment of the Prouince of Mayne was deserted by M<sup>r</sup> Gorges, & that by the extent of our l<sup>j</sup>ne, peti<sup>ti</sup>on, & free consent of the inhabitants, they were taken vnder this go<sup>u</sup>ment, and haue remayned so for more then twenty yeares, to the generall sattisfac<sup>ti</sup>on and benefit of the inhabitants, but to our great charge & expence, especially in their late troubles w<sup>th</sup> the Indians, to the value of many thousand pounds; but if, notw<sup>th</sup>standing all our pleas and allegations, his maj<sup>ty</sup> and council shall see cause to order that province to belong to M<sup>r</sup> Gorges, yet wee humbly implore your hono<sup>r</sup> to mediate in our behalfe with his maj<sup>ty</sup> & council, that our l<sup>j</sup>ne & patent may extend at least to Pascataqua Ryuer, taking in those few villages and that smale tract of land lying betwixt the two riuers of Merrimack & Pascataqua, w<sup>ch</sup> hath binn vnder the go<sup>u</sup>ment, the most of them more then forty yeares, and neuer vnder any other orderly government before, nor so much as claymed by M<sup>r</sup> Mason, and that some meete compensation may be allowed vs by M<sup>r</sup> Gorges towards that vast charge and expence wee haue binn at to p<sup>r</sup>eserve those townes which remajne in that prouince from being vtterly destroyed by the fury of the ennemy; ffor houeuer our aduersaryes may falsely suggest our neglect thereof, yet wee doe assure your hono<sup>r</sup> in the words of trueth, wee put no difference between those parts and those that were & are vndoubtedly & w<sup>th</sup>out quæstion within the l<sup>j</sup>ne of our patent; but such were their scittuation and distance one from another, that much blood was shed & damage done, & many captives taken, almost before wee knew there was an ennemy in those parts, all or the most of whom wee haue redeemed or regayned.

Right Hono<sup>r</sup>ble, wee are sencible of our great presumption and prolixity, and humbly begg yo<sup>r</sup> hono<sup>r</sup>s pardon; but considering the high place the alluise God hath advanced your hono<sup>r</sup> vnto, wee know none vnder God next his majesty whom wee may addresse ourselves and \*open our hearts & desires vnto, w<sup>th</sup> hope of successe, as to yo<sup>r</sup> noble selfe, the cheife minister of state in our deare native country, w<sup>ch</sup> God hath so abundantly adorned w<sup>th</sup> the blessings of heaven & earth, and where justice, judgment, & æquity vseth to flow doune as a mighty streame. Wee therefore hope and confidently beleive, that from so gracious & serene a prince, and so prudent, just, and pious judges & counsellors, wee shall haue no determinations against us which willbe justly greivous or discouraging to his maj<sup>ties</sup> loyall subjects in this part of his dominion; for thõ wee doe not judge ourselues wholly inocent, nor altogether without faylings, for huma[n]um est errare, yet wee hope, vpon tryall and examination, shall not be found much culpable of any great transgression, but are such indeed as vnfeignedly desire to feare God & hono<sup>r</sup> the king, what euer our adversarjes may falsely & vnjustly suggest; and could they obteyne their desires, to the discouraging, scattering, & ouerthrow of the welfare of this place and people, whom the God of heaven hath signally owned and blest, the ennemy could neuer be able to compensate the kings damage.

Crauing your hono<sup>r</sup>s pardon for this trouble & diuersion from yo<sup>r</sup> more weighty affaires, we remajne,

Hono<sup>r</sup>ble Sr,

Yo<sup>r</sup> humble supliants & servants,

JN<sup>o</sup> LEUERET, Go<sup>d</sup>.

In the name of the Gen<sup>l</sup> Court.

Boston, 22<sup>th</sup> October, 1677.

Right Hono<sup>r</sup>ble :

Your lordships compassionate regard & vnderdeserved respect & favour to those gentlemen that on behalfe of this his maj<sup>ties</sup> cclony haue beene respondents to the disturbing clajmes & qverulous complaints exhibbited by M<sup>r</sup> Gorge & M<sup>r</sup> Mason against us, \*before his most excellent majesty, & the most honno<sup>r</sup>ble lords of the privy council, comānds our dutifull & humble prostration of ourselues, with a deepe sence of the greatest obligations to your honour for your so great justice & favor therein; & may wee haue leaue to say, houeuer ill & absurdly his maj<sup>ties</sup> poore & distressed subjects in these parts are represented & rendred to his sacred majesty, or other most honorable persons concerned in the great affajres of government, (God knowes our hearts,) wee desire nothing more, next to our devotion towards God, then

1677.

22 October.

[\*151.]

Courts letter to  
lord privy  
seale.

[\*152.]



1677.

22 October.

to shew ourselues, though much disadvantaged by our remotion from home, his maj<sup>ties</sup> most loyall & faithfull subjects, & are confidently assured by our continuance therein to finde favour in the sight of his majestie, & gracious aspect from your most hono<sup>ble</sup> lordship, humbly imploring that, so farr as may consist w<sup>th</sup> the teñor of yo<sup>r</sup> vnerring justice, our present occasion may obteyne dispatch, w<sup>th</sup> a full settlement & remouall of all misvnderstanding betweene his majestie & us his devoted subjects, w<sup>th</sup> informations of our duty, in which, Almighty God assisting, wee shall euer continue. Praying for yo<sup>r</sup> lordships health & happiness,

& remaine yo<sup>r</sup> hono<sup>r</sup>s

most humble servants,

JN<sup>o</sup> LEUERET, Go<sup>d</sup>.

In the name of the Generall Court.

Boston, 22<sup>th</sup> of October, 1677.

Courts letter to  
S<sup>r</sup> Henry Cou-  
entry, secreta-  
ry of state.

Right Hono<sup>r</sup>ble: —

Wee hauing observed a very honourable mention of your name in our letters received from our messengers, & information thereby of our particular obligation to your hono<sup>r</sup>, the designe of this addresse is to tender our humble & hearty thanks for y<sup>e</sup> benigne aspect vpon our messengers that are wayting his maj<sup>ties</sup> pleasure in our behalfe, that yow haue binn pleased in so noble a manner to favo<sup>r</sup> them w<sup>th</sup> your countenance & assistance in that affayre, renders us much your servants, and obliged to your hono<sup>r</sup> in a great acknowledg-ment; and though wee are not able to make any suiteable retribution to your hono<sup>r</sup>, yet we doubt not but Almighty God will abundantly reward your kindness & respect to a poore people in our circumstances; nor will it euer be any greecife of heart to yow that yow haue favored an honest cause, & contributed to the labouring interest of an afflicted people that desire to feare God & \* & hono<sup>r</sup> the king. Right hono<sup>r</sup>ble, that yo<sup>r</sup> hono<sup>r</sup>s kindness to this poore afflicted people may be remembred & rewarded by the righteous Judge, that yow may find mercy in that day, and that the blessing of them that were ready to perish may come vpon yow, is the hearty desire & prayer of,

[\*153.]

Right hono<sup>r</sup>able,

Your hono<sup>r</sup>s most obliged

Humble servants,

JN<sup>o</sup> LEUERET, Go<sup>d</sup>.

Boston, 22<sup>th</sup> of October, 1677.

Right Honno<sup>r</sup>ble:—

The relation that our messengers haue given vs of your assisting them in their negotiation layes vs vnder a most deepe obligation of our due & humble acknouledgment thereof w<sup>th</sup> all thankfullnes, w<sup>ch</sup> is the very errand of these lines. We being abundantly sattisfied in yo<sup>r</sup> ho<sup>n</sup>o<sup>r</sup>s most friendly & Christian readiness to promote the equity & righteousness of our cause before our gracious soueraigne when wee (at so great a distance, & in some degree freindless) were almost sacrificed to the private interests & designs of some that made it their worke to clamour & falsely represt vs to his maj<sup>tie</sup>, although all could make no impression on the heart of so serene & just a prince, who hath, notw<sup>th</sup>standing, kept an open eare to heare our deffence & doe vs justice, for which gracious inclination of his maj<sup>ty</sup> toward us, as wee haue great cause to bless God for, so wee doe & shall acquiesse in it, esteeming it our interest & duty to demeane ourselues as loyall subjects most observant of his royall pleasure. Wee are very sencible that your hono<sup>r</sup> hath contributed not a litle towards the right vnderstanding of matters, for which your great candour & moderation towards us wee desire the Lord to give yow a full reward, & that he would still honour yow in making yow more serviceable for his name & glory.

Hono<sup>r</sup>ble S<sup>r</sup>, for ourselues, & what remajnes concerning us, (though wee haue no cause to doubt of his maj<sup>ty</sup>s clemency and goodnes, yet) yo<sup>r</sup> favour in continuing towards us that same noble & ingenuous incljnation w<sup>ch</sup> wee haue found in yow in further promoting of a right vnderstanding & happy conclusion thereof, will still oblige us to wish & pray for yo<sup>r</sup> temporall & æternal happiness, & to remajne,

S<sup>r</sup>, yo<sup>r</sup> most humble & devoted servants,

JN<sup>o</sup> LEUERET, Go<sup>l</sup>.

In the name of the Generall Court.

Boston, 22 October, 1677.

\*Gen<sup>n</sup>, respected & much endeared:—

The consideration wee had in your integrity & industry when wee put this troublesome imployment vpon yow is not in the least abated, but exceedingly confirmed, by all the accounts wee haue received from yourselues or others of your vnwearied diligence & prudent mannagement of our affayres comitted to your trust, wherein wee are fully sattisfied that, notwithstanding the extreame difficultjes that haue ffallow<sup>d</sup> yow in our busines, yet your patience, sedulous industry, & wisdom hath, to our full contentment and great admiration, ouercome them, for w<sup>ch</sup>, as wee haue great cause to blesse God, so

1677.

22 October.  
Courts letter to  
y<sup>e</sup> Hono<sup>r</sup>ble  
Joseph Wil-  
liamson, secre-  
tary of state.

[\*154.]

1677.

22 October.

also (whateuer the issue may be) to acknowledge your due deserts & our reall obligations to yourselues, which wee hope wee shall in some measure discharge vpon all oppertunitjes. Wee cannot, wee need not, contribut any further advice as to your future proceedings, but doe wholly, vnder God, acquiess in the assured confidence wee haue of yo<sup>r</sup>selues, and vpon the arrivall of the next ship, by which wee expect to heare further from yow, shall take care to accomodate yow w<sup>th</sup> such suppljes as the state of our affayres with yow may call for.

About 3 weekes since, (when we hoped to be at rest,) a party of about thirty of the old ennemy, viz., Hadley & Northampton Indians, fell vnexpectedly vpon Hattsefeld, burnt fouer houses, fower barnes, some stackes of corne, killed diuerse persons, and carried away one & twenty prisoners, men, weomen, & children. One of the men escaped, and saith the Indians were gon vp Conecticot Riuer, northward, towards the French, from whence they came, & sajd they were encouraged & ffurnished for this attempt by a French cap<sup>t</sup>. Wee haue it vnder consideration to send to those Indians & to the French to endeavour the recouery of the poore captives, & the better to vnderstand what wee may expect from those quarters. Your relations, wee doubt not, will give yow an account of yo<sup>r</sup> private affaires, which shall not suffer in any thing that wee can helpe. As to the publicke, wee judge it not vseless to acquaint yow, that, soone after our losse at Blackpoint in June last, Majo<sup>r</sup> Andros sent a considerable partje to Pemacquid, where they seated themsclues in right of the Duke of Yorke, & pretending freindship & kindnes for us, haue donn that service for us as to conclude a peace w<sup>th</sup> those easterne Indians, & haue regained & sent to us most of our captiues, & a promise of returning seuerall vessells the Indians had surprized, the performance whereof wee dayly expect. Since the sajd Majo<sup>r</sup> Andros hath signifyd his minde to our council to impose customs vpon all fishermen that fish on those coasts, &c, wherewith wee are vnsatisfied, and are now returning our resentment thereof, wee shall not further trouble yow, but, as wee are bound, shall comend yow & our affajres in your hands to our most gracious God, & to his protection & guidance through his grace, hoping shortly to see yow here, where yow will be most welcome to

Yo<sup>r</sup> assured ffreinds,

E. R., S.

By ord<sup>r</sup> of y<sup>e</sup> Geñ Court.

Boston, 22 October, 1677.

\*Mr W<sup>m</sup> Stoughton & }  
Mr Peter Bulkeley. }

1677.

22 October.

[\*155.]

Our respected and well beloved freinds, wee salute you in the Lord, &c.

The Generall Court sitting when your seuerall letters of the 4<sup>th</sup> of August last arrived here, besides them of June formerly receaved, being communicated to us, & a vessell bound for London ready to saile as these last came to hand, wee thought meete, by this oppertunity, to represent to yow, first, the due sence wee haue or would manifest of the good hand of the Lord our God vpon us in generall and yourselues in particullar in this affayre of so great concernment to us in our spirittuall & civil libertjes & constitutions, that when the ennemy strucke at the foundation of these our pretious things manifested in the eight article and otherwise, the Lord our God, (in whose hand is the kings heart and the mannagement of all these our concernes,) wee beleive, hath made them (by this act) to beginn to fall before his people, and therefore wee hope they shall not preuajle, but most surely fall, (as Hamans wise men told him;) and so wee would take it as matter of great thankfullnes to our God. Though wee yet haue not what wee expected or desired, or hope may haue, and further difficultjes remajne to be conflicted with, yet this begining is more then wee deserue, & would looke vpon it as an answer of prayer, & a token for good shewed us from the Lord. Wee haue, nextly, made an addresse to the king by way of acknowledg<sup>mt</sup>, and written to seuerall ministers of state, as the lord chancello<sup>r</sup>, lord privy seale, & both the secretarjes, which wee send inclosed to yourselues to present after pervsall, hoping wee may finde further favour as there may be occasion. And for yourselues, as wee doubt not of your faithfullnes in this transaction, so wee acknowledge, w<sup>th</sup> all acceptance, your care & labour of loue for God & his people herein. And as for money, yow will finde, wee hope, (besides the fve hundred pounds,) a further supply is come to your hands (before these lines) by the meanes of our Gouerno<sup>r</sup> & our Treasurer, being together three hundred pounds; and what may be further necessary, wee shall endeavour it be not wanting to yow, hauing ordered two hundred pounds more by the Tresurer, perceaving your dispatch from thence is not like to be before winter. Wee take notice by this act of his maj<sup>ty</sup>, at the council board, vpon the advice of the lords cheife justices of the Kings Bench & Co<sup>m</sup>on Pleas, & of the lords of the co<sup>m</sup>itte<sup>e</sup> for trade & plantations, that, according to their interpretation \*of our patent, wee are like to be cutt short of our patent l<sup>ne</sup> & bounds as it hath binn runn or lajd out; yet, by your advice, nott w<sup>th</sup>out hope of obteyning the continuance of the whole or some good part, at least, (viz<sup>t</sup>, those fower tounes betweene the riuers,) vpon application of the inhab-

[\*156.]



1677.

22 October.  
Gen. Courts  
letter to our  
agents.

itants, whose humble addresses & supplications goe herewith, with desires to yourselues to endeavor the attainment of it, wherein it is to be noted that our charge of the warre in those parts hath cost us litle lesse then eight thousand pounds, so, concerning the recouery of those parts, either by meanes of his majestie or from M<sup>r</sup> Gorges, wee would loose no conveniency for a small matter; & considering our charge as aboue, w<sup>ch</sup> wee advise yow to insist vpon, wee suppose it may be procured now on easier termes then at another time. As for the coynage or any other additionall priuiledge offered, (not prejudiciall to our charter,) wee would not slight, but humbly accept. Concerning trade & the liberty thereof to this poore colony, which hath binn a meanes of increase of shipping and seamen, and of this plantation w<sup>th</sup> inhabitants, to his maj<sup>ties</sup> hono<sup>r</sup>, & of the English nation also, and no prejudice to his customes, as is so falsely suggested; for that all wee haue coming hither from Virginea or the West Indies pay there strictly double what these comodities would doe if they had binn shipt for England to transport againe from thence; & moreouer, what thereof for England, as very litle, if considerable goes elsewhere, payes custome ouer againe; desiring all inconueniency to us in that respect maybe auoided what possibly may be. And further, as wee are obliged by our charter to permitt any of his maj<sup>ties</sup> subjects to catch fish in any part of our limjtts, and to make vse of the wood & the land for their stages & flakes, it is just that the like liberty may continue to us and all his maj<sup>ties</sup> subjects to fish in any part of these seas vpon the coast of New England, & to saue & make their fish vpon the land next adjoyning, as may be most comodious for them, w<sup>th</sup>out interruption, compulsion, or imposition by any of his maj<sup>ties</sup> Gouverno<sup>rs</sup> or subjects here, that so that vsefull & proffitable trade of fishing be not lessened nor discouraged. This wee hint because of some intimation from the Go<sup>u</sup>no<sup>r</sup> of New Yorke, in a letter to our Go<sup>u</sup>no<sup>r</sup>, tending that way, they hauing sett doune a fort & custome house at Pemacquid, as by copy of Go<sup>u</sup>no<sup>r</sup> Andros letter yow will perceiue. As for a present to his maj<sup>tye</sup>, wee are considering of some thing to send, w<sup>th</sup> hope Piscataqua men & others will provide a ships loading of masts, if his maj<sup>tye</sup> please send a ship, & ourselues some cor fish, sampe, & cramburies. Yow will haue advice from others in what capacity wee stand w<sup>th</sup> the heathen heere. So, not perceiuing any thing further \*needfull for the Court to advise, vntill wee heare more from yow, wee comend yow all to the grace of God in our prayers, and bid yow heartly farewell.

[\*157.]

Your assured freinds,

EDW<sup>d</sup> RAWSON, Secret<sup>y</sup>.

In y<sup>e</sup> name & by order of y<sup>e</sup> Ge<sup>n</sup>ll Court.

Boston, 22 October, 1677.

For the sachems of the Macquas.

1677.

22 October.

Octo: 12 : 77.

Courts mes-  
sage to y<sup>e</sup> sa-  
chems of the  
Macquas.

Yow may by these take notice that sixe of yo<sup>r</sup> men (as we since vnderstand) were lately found neere Boston in the woods, who, being well armed, and in a warlike posture, were by some of our people surprized, & carryed to prison, & there secured, not knowing but that they were ennemy Indians, till, being examined by authority, they were found to be Macquas, as some of Albany that were here did assert, & so therevpon were well vsed, & are set at liberty, by whom wee send these lynes, to lett yow know how ready wee are to hold & continue our auntient freindship w<sup>th</sup> yow, which was so lately renewed at Albany betweene Major Pinchon, & 2, and yo<sup>r</sup>selues, and hath been by us in all respects attended; howeuer, it comes to pass that there hath beene a fayleur on your part, by some of your men not observing it, which wee rather suggest, because those Indians, your men, who are now with us, acknouledging their sence thereof, attending to what seeme to be ignorant of that which was concluded at Albany, namely, to be freindly to all our freind Indians, which was one of the great things wee aymed at next to our then mooving you to destroy the eastern Indians, our then ennemy. Wee engaged yow not to medle w<sup>th</sup> our freind Indians, and wee haue reason to take care of them, who were true to us in all the time of our warre, and ventured their liues for us; and now wee shall not lett them loose their lives by our freinds that haue engaged to carry it freindly to us & them, as yow haue donne; wherefore wee suppose it is not allowed by yow for yours to spoyle, or, as lately they haue killed one Natick man as he was fishing close by an English house, and carrying away two Naticke squaes, who were about their occasions at Hassanamesit; all which being contrary to the agreement made w<sup>th</sup> yourselues, wee hope yow will cause your men to make full satisfaction, for wee haue now an oppertunity in our hand, and might detejne some of these your men; but, to prevent all grounds of disquiet to yo<sup>r</sup> spirits, and being confident yow will doe it, namely, returne backe these two squaes, and forbear all further mischeife vpon or toward our freind Indians, wee set at liberty all your men, resolving there shall be no breach on our part; but yet \*wee will protect & defend our freind Indians; & wherefore doe yow wrong to them in your not giving all yo<sup>r</sup> people notie of it? To be more carefull for future that no spoyle or wrong be *be* don to any of our freind Indians, let none of yours come nere to Naticke, Puncapauge, Hassanamesit, or Waymesit, nor among any of our townes where our freind Indians are, who are and will be freinds to yourselues, as wee are, all being vnd<sup>r</sup> his majestjes protection, and therefore not to be disturbed by you. There are other Indians for you to fall vpon, whose pursuing & destroying wee shall take kindly from

[\*158.]

1677.

22 October.

your hand, namely, a parsell of Indians who came lately from Cannada, and fell vpon Hattfeild, the same day when 4 of yo<sup>r</sup> people lodged in Hatfeild, and were there kindly vsed the night before. These Indians, who came from Canada, as wee since came to know by one of our captives that is gott away from them, haue carried w<sup>th</sup> them twenty of our people, weomen & children, w<sup>th</sup> three men, whom we vnderstand are returning towards Canada. It would be an acceptable service to us if yow cann destroy this parcell of Indians; and may yow be instrumentall for the sauing & recouering of any of our captives, wee shall give yow good reward for the same. Wee hauing further to lett yow know that now there arising ennemy Indians against us about Northampton & those tounes, our people are vpon their guard, and scouting forth, so that it maybe hazardous for yo<sup>r</sup> people, wee not being able to distinguish betweene such ennemy Indians & Macquas, whom wee would not wrong, and therefore desire your men may not come w<sup>th</sup>out some Englishmen or Dutchmen with them, vnless some one or two at most, w<sup>th</sup> a letter in their hand, may adventure into our tounes vnarmed, and then, vnderstanding them to be reall Macquas, wee shall affoord releife as neede maybe. Wee the rather mention it, because some of our people who were lately taken were deluded, & catcht, by taking the ennemy Indians for Macquas, whom else they should haue auoyded. Wee haue not to add at present, but that wee are

Your very loving freinds,

E. R., S.

In y<sup>e</sup> name & by ord<sup>r</sup> of the Geñl Court.

Boston, 12 October, 1677.

[\*159.] \*Cap<sup>t</sup> Salisbury.

Courts letter  
to Cap<sup>t</sup> Salisbury.

S<sup>r</sup>: Wee haue thought fit to acquaint yow, that sixe Indians, by whom wee send these to yow, were some days since taken by some of our people w<sup>th</sup>in Boston bounds, on the northeasterly side of Charles Riuer. It being a place where wee haue no Indians settled, or allowed to goe, w<sup>th</sup>out speciall order from ourselues, they were forthuith carryed to prison, and, being examined by authority, sajd they were Macquas, though wee had cause to doubt of it; yet, since being assured by some of Albany that they are reall Macquaes, wee haue given order for their enlargment & well vsage, and haue appointed sixe troopers to guard them, & conduct them safe into the woods out of our tounes, or hazards of our Indians, whom some Macquaes haue lately don injury vnto, carrying away captiues two of our Natick Indian weomen, and killing one very honest man of them, & taking away his scalp, all which bing contrary to their agreement made w<sup>th</sup> them by our messingers



in Aprill last. Wee might well haue secured some of these till satisfaction made, and the returning of these two captiues; but to prevent all ground of disquiet to the Macqua sachem, wee haue, notwithstanding, set these at liberty, & make vse of them to signify our minds to the sachems, that they send home those squaes, whose returne from them wee doe expect, & there instructing of their men not to come into these parts to our freind Indians, which was one great end of our treating them at Albany in Aprill last. Though wee did then designe their falling on the eastern Indians, our then ennemjes, wherein they haue not don vs any service, yet wee did as strongly aime at, & as carefully prouide for the security of our freind Indians, w<sup>ch</sup> they engaged to, not to do them any mischeifes; and it is a great trouble to us that they or their people take no more care thereof, wee being ingaged to protect & secure them, who in the tyme of the warr were very seruicable to us, ventured their liues for us, & many of them lost their liues in our service; and now wee shall not let them be destroyed by either Macquas or others. Wee vnderstand that Major Pinchon hath lately wrote to yow vpon the occasion of some mischeife donn at Hatfeild as well as formerly, directing the Macquas to take their randge more norward, that the Macquas would not adventure to come neere our townes now, because the ennemy Indian hauing made an irruption vpon us, wee are vpon our guard, and haue our scouts out, & so, not knowing Macquas from other Indians, there may be hazard of doing them hurt vnknowne, for wee cannot distinguish them, vnless some Englishman or Dutchman should come w<sup>th</sup> them, or some one of them might adventure into our townes vnarmed, with a letter in his hand; \*otherwise wee know not how they will be safe. Wee pray yow so to informe the Macquas with it, that they may not come into any dainger; and doe us that fauour to let the Macquas know how ready & willing we are to hold & continue all amicable correspondence & freindship with them, & therefore expect their attendance to their agreement w<sup>th</sup> us, not to doe spoyle vpon our freind Indians. Wee haue speciall respect for them, especially those of Naticke, Pyncapawag, & hereabouts, whom his maj<sup>ties</sup> corporation also hath lately manifested great respects for, so that it is hoped & expected that the Macquas will be very observant heereof for the future.

S<sup>r</sup>, wee further desire your helpfullnes in recouering of those of our people who are now in captivity with the barbarous heathen, there being twenty persons taken from Hattfeild & Deerefeild, as Major Pynchon hath given yow an account, desiring you to incite the Macquas to pursue the ennemy, being Indians that came from the French, and are thither returning, as wee are certainly informed by one of our men that escaped from them. Wee doubt not of yo<sup>r</sup> readiness to affoord help, as it may fall in yo<sup>r</sup> way, and

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yow need not doubt of our care to sattisfy what charge yow may be at, and shall disburse vpon the account. W<sup>th</sup> our loving respects to yow, wee comēd yow to God, & are

Your assured ffreinds,

EDW<sup>d</sup> RAWSON, Secre<sup>ty</sup>.

In the name & by order of the Geñll Court.

Ans<sup>r</sup> to Hat-  
feild petiōon.

In answer to the petition of Hatfeild, & for the recouery of their captiues, the hono<sup>r</sup>d Gouverno<sup>r</sup> is desired & empoured to take order & care therein, by granting comiſſion to such meete persons as may be employed in that service, & giving them instructions to mannage that affayre, & by them to write to the French gou<sup>no</sup>r at Canada, as also to those Indians that haue the prisoners in possession, and make such ouertures to them as may tend to the regayning the prisoners, & the settling of the peace of the country, & that the chardge thereof be borne by y<sup>e</sup> country.

Courts order as  
to Benanuel  
Bowers release.

In ans<sup>r</sup> to a paper signed by Benanuel Bower, it is ordered, that the marshall generall doe forthwith levy vpon the estate of the sajd Bowers such fine or fines as haue binn lajd on him according to law by the County Court of Cambridge, & that therevpon he be dischargd the prison.

[\*161.] \*Honōble S<sup>r</sup>:

Courts letter to  
Gou<sup>no</sup>r Andros  
at New Yorke.

Wee received your letter, dated Septemb<sup>r</sup> 22<sup>th</sup>, 77, by Clojs Burden. As for the damage don vs by the eastern Indians, mentioned in our letter, dated July 28<sup>th</sup>, was in taking our fishing catches about Cape Sable, and a notorious murder comiſſed vpon some men, weomen, & children at Amesbury about the midst of July, but not knowne to us or yo<sup>r</sup> comiſſion<sup>r</sup>s at Pemacquid (as M<sup>r</sup> Start, yo<sup>r</sup> messenger informed) vntill after the peace was concluded betweene some of the eastern Indians & Cap<sup>t</sup> Brockles, &c. This wee mention to cleare the ground of what wee then wrote to you touching the prudent & Christian charity of yo<sup>r</sup> comiſſioners aduising & issuing a peace w<sup>th</sup> those Indians, & procuring the deliury of the poore Christiā captiues, the most of whom, as wee are informed, did (before the warre) liue w<sup>th</sup>out our jurisdiction, as wee then did, so wee now accept w<sup>th</sup> thankfullnes; as entring into or holding on a warr w<sup>th</sup> the Indians is most vndesircable, so it was neuer ingaged in by us otherwise then for our just & necessary deffenc, and in order to a peace & future quietnes. Yow are pleased to declare your resolution & orders, that no Indian be suffered to goe to the fishing islands, nor Christian to setle, inhabit, or conuerse vpon sajd maine coast this winter, or vntil further order, except vnder protection of yo<sup>r</sup> fort at Pemacquid, and due entrjes and cleering at the custome house, &c; and that all fishers that shall

make fish vpon the islands are required to give notice at the fort; and that yow are dispatching his highnes sloop into those parts to protect the fishermen, and to make prise of all such as shall presume to act contrary to your orders. Concerning these things wee are at a losse distinctly to vnderstand your meaning, yow speake so generally & vnlimitedly of the majn coast island, & fishing w<sup>th</sup>out restriction; nor doe wee thinke ourselues concerned to inhibitt the people of this jurisdiction from their anntient priuiledge and liberty as Englishmen, and his maj<sup>t</sup>ies faithfull subjects, to improoue themselves & estates in the honest and industrious labour of fishing *of fishing* vpon the coasts of New England, and making their fish vpon the majne land or islands as formerly — a liberty which our kings haue alwayes reserved in the charters for these territorjes, as wee conceive; nor yett shall wee prohibitt our people from setling vpon their proprietjes, either on islands or continent w<sup>th</sup>in our jurisdiction, granted to us by the royall charter of our gracious kings. S<sup>r</sup>, wee are very desirous to preserue & mainteyne all freindly correspondence w<sup>th</sup> all our countrymen & fellow subjects to the same prince that God hath planted in vicinity of neighbo<sup>r</sup>hood to us in this uilderness, and particularly w<sup>th</sup> yourself and the gouernment vnder yow, which amity will be best p<sup>r</sup>serued and continued if wee doe all walke w<sup>th</sup>in our oune l<sup>j</sup>nes \*in the feare of God & a regular obedienc & loyalty to our soueraigne lord the king, avoyding any incroachments vpon the rights & libertjes of each other, & endeavoring in our vtmost capacity to glorify God and promote the hono<sup>r</sup> & interest of our king & nation, and to strengthen the hands & hearts of each other against the plotts, conspiracies, & attempts either of the barbarous heathen, or any other ennemjes to the English nation. For this wee pray, and shall endeavour (w<sup>th</sup> Gods assistance) to practise the same, hoping the like from you. So remayne, s<sup>r</sup>,

Yo<sup>r</sup> affectionat freinds & neighbours,

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

In y<sup>e</sup> name & by ord<sup>r</sup> of the Ge<sup>n</sup> Court of y<sup>e</sup> Massachu<sup>s</sup>ts.

Boston, 17 October, 1677.

Hon<sup>ble</sup> S<sup>r</sup>:

There is before us the complaint & petition of Ambrose Gale, informing that, by M<sup>r</sup> Constant Southward, M<sup>r</sup> Th<sup>o</sup> Pajne & others, himself, & company, vpon their imploy of fishing, were interrupted and abridged, contrary to the knoune & vsuall custome from our first planting, and such an imposition as wee suppose his majesties charter will neither allow to ourselues nor yow, and in itselfe vnreasonable, that the sea shall not be free for fishing, especially

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[\*162.]

Courts letter to  
Plymouth.

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that wee should disturbe each other, as if ennemjes were not able to give us trouble enough. Wee hope that the matter only labours of some mistake, either in sajd Gale or the forementioned gentlemen, and intreat your settlement & order thereabouts, & information of ourseluts therein to prevent further trouble. Not els at psent. Wee are

Your ffreinds & confederates,

The Geñll Court of y<sup>e</sup> Massachuset.

Signed by their ord<sup>r</sup>.

EDW: RAUSON, Secre<sup>t</sup>.

Comittees returne about  
Beverlys 500  
acres, &c.

Wee, whose names are vnderwritten, being appointed by the Generall Court, and in obedience to their order, did meet at Beverly this 21<sup>th</sup> September, 1677, did vejw the tract of land which Beverly did petition the Generall Court for, and found it to be about five hundred acres, which lands did & doth belong to the inhabitants of Bass Riuer, according to the bounds they shewed us, which lands is cutt of from the inhabitants of Beverly by the ljne from the rocke by the creeke to the Great Stubb. Wee hauing binn vpon the place, & perved all their writtings, doe apphend that that which they petition for is but suiteable accomodation.

SAMUEL APLETON,

JOHN WHIPLE,

JOHN FULLER.

This returne of the comittee is accepted, vnless the towne of Salem procure the sajd comittee at theire oune charge to make a new survey & returne, giving Beverly notice, to the next Court.

Ans<sup>r</sup> to Abra.  
Gales peti<sup>ti</sup>on.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of Abrose Gale, it is ordered, that a letter be written to the Gof<sup>t</sup> & council of Pljmouth, informing them the contents of his peti<sup>ti</sup>on, in favo<sup>r</sup> to him & others debarred from fishing on those coasts.

[\*163.]

W<sup>m</sup> Dixie capt.  
Paul Thorn-  
dick left, Sam.  
Corning, Sen.,  
ensign, of Bef-  
ly.

Courts order  
for y<sup>e</sup> settling of  
Derefeild, &c,  
in a compact  
way for defence  
ag<sup>t</sup> the Indians.

\*In answer to the petition of seuerall inhabitants of Beverly, it is ordered, that W<sup>m</sup> Dixie be their captaine, & Paul Thorndick their leiftenūt, & that they haue their comissions accordingly.

The townes in Hampshire being in more hazard of the incursions of the heathen ennemy then some others, this Court doeth order, that each towne there doe endeavor the new moddelling the scittuation of their houses, so as to be more compact & liue neerer together, for theire better deffence against the Indians; and in order to the stating & contriving heereof, Major Jn<sup>o</sup> Pynchon, Leif<sup>t</sup> Jn<sup>o</sup> Mosely, Ensigne Samuel Loomis, Leiu<sup>t</sup> W<sup>m</sup> Clarke, M<sup>r</sup> Peter Tylton, & Leif<sup>t</sup> Willjam Allis, or any three of them, Major Pynchon being one,

are appointed to ord<sup>r</sup> and contrive the same, and to appoint and determine meet satisfaction to such whose land may be made vse of for others to build on.

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And as a further prouission for the security of those tounes, it is ordered, that a garrison be stated at Deerefeild, and for the effecting the same, it is ordered, that the inhabitants of that place doe repajre thither this winter, (if the comittees doe judge it safe,) and prouide for the setling thereof in the spring, which shall be in a compact way, as shall be ordered by the comittees, and this winter stuff for fortification to be prouided ready to sett vp there in the spring, viz<sup>t</sup>, in March or Aprill, at w<sup>ch</sup> time twenty souldjers shallbe sent vp by the Gou<sup>r</sup> & council to that place as they shall see cause, whose worke & care shallbe to preserue & secure that place, and those adjoyning there, from the Indians.

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Comittees im-  
powred.

And further, for the encouragement of Hatefeild, sixe souldiers shall be forthwith sent vp thither, at the countrjes chardge both for wages & dyet, & to be vnder the comānd of Leiu<sup>t</sup> Allis, for the preservation of that place, or as they shall be directed by the mayo<sup>r</sup> of that regiment, who may in the winter tyme improov them in preparing & getting ffortification for Hatfeild & Deerefeild, and all persons concerned are to attend the orders of the comittees aboue sajd, from time to tyme, for the effecting of this order, at their vtmost perrill.

A garrison to  
be settled there  
at spring.

It is further ordered, that our brethren at Connecticot be desired to joyne in keeping the garrison at Deareffeild, and that it be left w<sup>th</sup> Mayo<sup>r</sup> John Pynchon to treat w<sup>th</sup> the Gouverneur & council there for effecting the same.

Courts desire  
y<sup>t</sup> Connecticot  
joyne in y<sup>e</sup> gar-  
rison.

\*In answer to the petition of Samuel Patrigg, fferryman at Hadley, the Court judgeth it meet to allow the peti<sup>c</sup>ōner twenty pounds in full for what is due to him from the country for fferriage, to be payd by the Tresurer of the country.

[\*164.]

Anst<sup>r</sup> to Sam.  
Patriggs peti-  
co., 20<sup>th</sup> al-  
lowed.

There being a smale island in Merrimak Ryuer, conteyning about sixe or seuen acres, comōnly called Mayo<sup>r</sup> Dennisons Island, lying against the midle of his farme, the Court judgeth it meet to grant the sajd island to him the sajd Mayo<sup>r</sup> Denison, at his request.

Island in Mer-  
rimack Ryuer  
g<sup>te</sup>d to Major  
Gen<sup>l</sup> Denni-  
son.

Mr Joseph Dudley being appointed to keepe the Courts at Douer and Yorke, to be held by adjournment the latter end of y<sup>e</sup> October, itt is ordered, that the Tresurer supply him w<sup>th</sup> fve pounds money for the dischardging of necessary expences of himself & his attendants.

5<sup>th</sup> for y<sup>e</sup> Tre<sup>r</sup> to  
pay M<sup>r</sup> Dudley,  
&c.

The Court, vpon information of M<sup>r</sup> Rausions extraordinary reall expences out of purse lately, as djet, wayting on the council, for paper also, and hiring persons to write for him, as, being demonstrated, he is in disburs, it is ordered, that the Tresurer pay him forty pounds in money in consideration thereof, besides his ordinary sallery.

Courts order  
for y<sup>e</sup> Tresurer  
to pay y<sup>e</sup> sec-  
ret. 40<sup>th</sup> mony.



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John Johnson  
cap<sup>t</sup>, Tho. Ten-  
ny, ensi., at  
Rowley.

Ans<sup>r</sup> to Sam. &  
Abig<sup>l</sup> Hudsons  
peti<sup>o</sup>n as to  
cutting of an  
entayle deny<sup>d</sup>.

Courts ans<sup>r</sup> to  
farmers of Sa-  
lem peti<sup>o</sup>n.  
Le<sup>f</sup>t Leach y<sup>r</sup>ir  
left.  
Rich. Leech  
left.

Widdow  
Wheeler, of  
Lancaster, al-  
lowed 6<sup>l</sup> 9<sup>s</sup> 8  
from y<sup>e</sup> treas<sup>r</sup>.

Ans<sup>r</sup> to Henry  
W<sup>m</sup>s peti<sup>o</sup>n.

[\*165.]

Courts ans<sup>r</sup> to  
Rouley peti<sup>o</sup>n  
comāding  
obedienc to y<sup>e</sup>  
military offi-  
cers.

Courts judg-  
ment in Row-  
ley case.

The military company of Rouley being destitute of a captaine, this Court doth hereby order Ensigne John Johnson to be captaine, & Sarjant Thomas Tenny to be his ensigne, to the foote company there, & that they haue their co<sup>m</sup>missions accordingly.

In ans<sup>r</sup> to the petition of Samuel Hudson & Abigaile Hudson, being in a loue condi<sup>o</sup>n, humbly desiring the favo<sup>r</sup> of this Court, in order to their releife, to cutt of the entajle layd on their house & land, the Court denyes their request.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Salem villagers for a ffoote company, it is ordered, that all those of the sajd village that live on the west side of Ipsuich road may be freed from Cap<sup>t</sup> Corwins company, & shall be excercised at home by Leiften<sup>n</sup>t Richard Leech, who is hereby appointed their leiften<sup>n</sup>t, leaving it to the militia of Salem to bound the two companys of Salem.

The Court, on vejw of widdow Wheelers bill, of Lancaster, of disburs-ments, signed by the co<sup>m</sup>itte for y<sup>e</sup> country, doe order & grant her payment from the Tresurer of sixe pounds nine shillings & eight pence.

In ans<sup>r</sup> to the petition of Henry Williams, of Scarborow, it is ordered, that Francis Neale, that kept the reccords of the Court at Falmouth, deliuer vp vnto the sajd Willjams his originall bill of thirty pounds that is in his custody.

\*This Court haueing this session appointed & settled a cap<sup>t</sup> and ensigne ouer the military company at Rouley, in the vacancy of those places, and, in opposition therevnto, & dissatisfaction w<sup>th</sup> the order of Court therein, a petition hath binn prefferd, subscribed by many names, but written w<sup>th</sup> one hand, wherein appeares the evill spirit of diuers there, who haue lately reproached the churches and the members thereof, which this Court hath borne testimony against, though w<sup>th</sup> as much lenity as the case would admitt of; all w<sup>ch</sup> notw<sup>th</sup>standing, they haue abused the Courts favour & indulgence by this seditious petition, which this Court judgeth themselues bound to take due notice off, so farr as to order that John Acie & Jonathan Platts forbear to concerne them-selues in their toune or military affayres till further order from this Court, and that the rest of the peti<sup>o</sup>n<sup>r</sup>s are hereby required to attend the Courts order as to the military co<sup>m</sup>anders.

After a full hearing of the differences that haue arisen at Rouley refer-ring to the setting of M<sup>r</sup> Shepheard as minister among them, this Court doe declare, that they will not countenance any procedure or actings therein contrary to the lawes of this Court, hauing therein made prouission for the peace of the churches & a settled ministry in each toune, and that all votes passed by any among them contrary therevnto are heereby declared null & voyd, and doe

order the actos therein, viz., Daniel Wicum, David Bennet, Samuel Platts, Johnathan Platts, &c, abettors, to be admonished, & to pay costs sixe pounds seuen shillings & eight pence. 1677. 22 October.

In ans<sup>r</sup> to the petition of Thomas Parke in behalfe of his son, John Parks, sorely wounded, the Court judgeth it meete to refferr the consideration of the sd petition to the co<sup>m</sup>ittee for wounded men, to doe therein as they shall see meet, & make returne as the law directs. Ans<sup>r</sup> to Tho. Parkes peti<sup>ti</sup>on.

It is ordered, that Ephraim Sauage be ensigne to Cap<sup>t</sup> Thomas Sauage his company in Boston. Ephraim Sauage ensign to his fath<sup>r</sup>s company, Cap<sup>t</sup> Sauage.

In answer to the petition of Samuel Bishop, the Court judgeth it meete that the petitioner stand in the pillory only once, and that as a further alteration of his former sentance, that he pay the party wronged, viz<sup>t</sup>, M<sup>r</sup>s Mitchaell, tenn pounds in money, or els his former punishment not to be abated. Courts ans<sup>r</sup> to Samuell Bishops peti<sup>ti</sup>on.

\*In ans<sup>r</sup> to the peti<sup>ti</sup>on of Left James Trowbridge, the Court grants the peti<sup>ti</sup>oners request, & orders Deacon Isaack Willjams to be leffenit to the foote company of Cambridg village in his roome. [\*166.] Left Trowbridge lajd doune, Isack W<sup>m</sup> leif<sup>t</sup> of Cambridg vil- lage.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of M<sup>r</sup> Thomas Thatcher, in behalfe of his daughter, Elisabeth Davis, it is ordered, that the whole estate of the deceased Cap<sup>t</sup> Nathaniel Dauenport be audited by M<sup>r</sup> Symon Lynd, M<sup>r</sup> Willjam Taylor, & M<sup>r</sup> James Whetcombe forthwith, and that they informe themselves in what else is necessary for the Court to know touching the premisses, and make a true representation of what they finde therein the next third day in ans<sup>r</sup> to this peti<sup>ti</sup>on. The co<sup>m</sup>ittee made their returne, w<sup>ch</sup> is on file. Ans<sup>r</sup> to M<sup>r</sup> Thatchers peti<sup>ti</sup>on.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Jonathan Danforth, Job Lane, & other of the selectmen of Billirica, humbly desiring the favour of this Court, that, whereas sixe famiyles the last yeare belonging to that toune, whose rates came to fuety seven shillings & sixe penc to one single rate, & payd thejre ten rates in the tounes whither they remooved, they might be considered and abated, so much as the same comes to, i. e., twenty eight pounds fueteen shillings, it is ordered, that the constables of Billirrica doe forthuith demand & recouer the rates aboue mentioned, of such persons who deserted the tounes, notw<sup>th</sup>stand- ing their payment in other places. Ans<sup>r</sup> to J<sup>n</sup>tha. Danforth, &c, Billirrica peti- ti<sup>ti</sup>on.

In ans<sup>r</sup> to the petition of John Scarlet, the Court sees no cause to grant his desire. Scarlets re- quest deny<sup>d</sup>.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Read & Ebenezar White, constables of Weymouth, it is ordered, that the sajd constables be freed from the payment of what was to be payd by such persons as were slayne in the warr, and that it be leyved vpon the whole toune; and for such who are remooved out of sajd toune, that the constables shall & heereby are empowred to recouer the Courts ans<sup>r</sup> to Reade & White, constables of Weymouth, peti- ti<sup>ti</sup>on.

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Courts ans<sup>r</sup> to  
M<sup>r</sup> Quinseys  
petiçon, &c.  
Admi<sup>n</sup>stration  
granted to M<sup>rs</sup>  
Francis Reynor  
to y<sup>e</sup> estat of  
hir late son, M<sup>r</sup>  
Jn<sup>o</sup> Reynor.

same by way of action before any magistrate or comissioner, as in other cases.

In ans<sup>r</sup> to the petiçon of Edmund Quinsey, it is ordered by this Court, that he shall be released from the excecutorship according to his desire, and that administration be granted vpon the estate of the late M<sup>r</sup> John Reynor, Ju<sup>n</sup>, deceased, to M<sup>rs</sup> Francis Reynor, she giving bond, w<sup>th</sup> securitje, to the County Court of Douer, to administer according to law; and to pay, or cause to be payd, to the petitioner, viz<sup>t</sup>, M<sup>r</sup> Edmund Quinsey, forty pounds, that is to say, fueteen pounds in money, and twenty fve pounds in other good merchantable pay, such as may be rayesd out of the estate, and to be payd w<sup>th</sup>in two yeares now next coming.

[\*167.]

Phœby Plan-  
tons petiçõ. de-  
ny<sup>d</sup>, &c.

Courts ans<sup>r</sup> to  
Robt Knights  
petiçon.

Lyn troopers to  
be under y<sup>r</sup>ir  
corporalls.

Ans<sup>r</sup> to Mary  
Wells petiçon.

\*In ans<sup>r</sup> to the petition of Phœby Planton, widdow, for liberty &c, to sell lands, &c, the Court sees no cause to grant hir request.

In ans<sup>r</sup> to the petition of Robert Knight, of Marblehead, the Court judg-eth it meete to reffer it to the County Court of Midlesex.

In answer to part of the inhabitants of Lynn, troopers, this Court judge it meet to grant their request, so farr as refferreth to being a troope, & leaue them to the order of the corporalls vntill further order of this Court.

In answer to the petition of Mary Wells, of Hadley, humbly desiring that her late husband, expending on the country service in providing for the maintenance of seucral wounded men, & their doctor, to forty fower pounds, given in & pas<sup>t</sup> to y<sup>e</sup> Tresurer, w<sup>ch</sup> is more then hir rates, y<sup>t</sup> come not to aboue seventeen pounds eight shillings, she being a widdow, that the Tresurer pay the remainder due to hir out of the present country treasury, the Court judg-eth it meet to grant hir request.

Ans<sup>r</sup> to M<sup>r</sup>  
Thachers peti-  
çon.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Thomas Thatcher, in behalfe of his daughter, Elisabeth DAVIS, it is ordered, that the answer thereof is referd to the next Court of Election, and doe order, that in the meane time the County Court doe appoint audito<sup>r</sup>s to heare what may be sajd by the credito<sup>r</sup>s to Cap<sup>t</sup> Davenport's estate in reference thereto, as also to examine all the accounts of hir administration, and to present what they shall finde therein, and in the meane time all executions ag<sup>t</sup> the petiçoner in reference thereto to be respitted.

Ans<sup>r</sup> to M<sup>r</sup>  
Jn<sup>o</sup> Russells  
petiçon.

In ans<sup>r</sup> to the petiçon of M<sup>r</sup> John Russell, pastor of Hadley, & Rebeckah, his wife, &c, it is ordered, that the Tresurer pay vnto him the one halfe of his account, in money.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Emerys peti-  
çon.

In ans<sup>r</sup> to the petiçon of Jn<sup>o</sup> Emery, Se<sup>n</sup>, of Newbery, the Court judgeth it meet to grant the petitioner a hearing of his case the next 4<sup>th</sup> day, at nine of the clocke, & that the petiçoner giue notice to persons concerned to attend the issue.

It is ordered, that the Tresurer of the country pay vnto the widdow Ayres, in full of the bill presented to this Court, which is on file. any former grant notwithstanding, twelue pounds.

In ans<sup>r</sup> to the petition of Robert Knight, the Court judgeth it not meete to take cognizance of this case, but refers the petiçoner to a course of lawe.

\*In ans<sup>r</sup> to the petiçon of Thomas Fuller, &c, the Court judgeth it meete to grant this petition, to a new runing of their l<sup>j</sup>ne, & to that end haue nominated & appointed M<sup>r</sup> Jonathan Danforth to be the survejour, Leff<sup>t</sup> W<sup>m</sup> Johnson, Cap<sup>t</sup> Swajne, & M<sup>r</sup> Shuball Walker, or any two of them to assist therein for effecting the same; M<sup>r</sup> Danforth to appoint time and place of meeting, and the charge hereof to be borne by him or them who haue vnneccessarily binn the occasion of the trouble, and that a returne thereof be made to the next Court of Election.

In ans<sup>r</sup> to the petition of Edmund Perkins, & Susanna, his wife, & Andrew Neale, humbly desiring the favo<sup>r</sup> of this Court to confirme their sajle of the house & land of y<sup>e</sup> late John Houlett, &c, the Court sees no cause to grant thire request.

In answer to the petition of the inhabitants of Chebacco men, the Court, considering what is alleadged by Ipsuich, judge it not meete to grant the petition at present, but seriously comend it to the toune of Ipsuich, as soone as may be, to contrive the accomodation of the petitioners & other farmers thereabouts in the matter petitioned for.

This Court, being informed that Edward Messenger, of Windsor, hath been a great looser by a horse that was taken vp by the militia of Hatfeild, & sold with refference to the law directing to dispose of horses that haue binn impressed for the publicke, doe order, that he be restored his horse againe by him in whose hands he shall now be found, and also be repayd by the Tresurer, w<sup>th</sup> refference to his great costs & charges expended for the recouery of him, fifty shillings. And it is ordered, that the comittee of militia of Hattfeild, who sold the horse, returne the pay to the person from whom the horse was taken.

In ans<sup>r</sup> to the petition of Elisabeth Johnson, relict of the late Cap<sup>t</sup> Isaack Johnson, humbly desiring the favo<sup>r</sup> of this Court to impower hir, as his excecatrix, to make a firm deed of sale to W<sup>m</sup> Lyon of a peece of land he bought of & payd hir late husband for, the Court declares the saj<sup>d</sup> Elisabeth Johnson to haue power to make deeds accordingly.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Pelatiah Glouer, the Court doe not judg meet to grant his petiçon, but reffer him to a course of lawe.

1677.

22 October.

Courts grant of 12<sup>d</sup> to widdow Ayres.Ans<sup>r</sup> to Robert Knights petiçon.

[\*168.]

Ans<sup>r</sup> to Tho. Fullers petiçon as to runing y<sup>e</sup> line, &c.Courts ans<sup>r</sup> in y<sup>e</sup> negative as Edm<sup>d</sup> Perkins & his wife sale of Howletts house & land.Ans<sup>r</sup> to Chebacco mens petiçon.Order about Edw<sup>d</sup> Messengers horse.Ans<sup>r</sup> to Elisabeth Johnsons petiçon.



1677.

22 October.  
Ans<sup>r</sup> to Pelatiah Glouers petition.

[\*168<sup>a</sup>.]

Hearing of Martha Emerys case.

Courts ans<sup>r</sup> to & judgm<sup>t</sup> in Martha Emerys case vs Andrew Shephards estate.

Bond taken & on file.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of Martha Emery, the Court order a hearing of the case at nine of the clocke on Tuesday next, y<sup>e</sup> petitioner putting in caution for y<sup>e</sup> charge, & giving notice to y<sup>e</sup> parties concerned. Sumons issued out to Jn<sup>o</sup> Scottow, Jn<sup>o</sup> Endecot, & Richard Midlecot. The partjes appeared.

\*And in answer to the petition of Martha Emery, craving the Courts favour for the obteyning of an estate left by hir brother, Andrew Shepheard, here in this jurisdiction, and clajmed by Mr Richard Midlecott, the Court, on a ffull hearing of the case, doe find for the plaintiffe, viz<sup>t</sup>, the whole estate of the deceased petitioned for, as being the true hejre therevnto; and doe order, that John Scottow & John Endecott, of Boston, jojt execcuto<sup>r</sup>s to the said estate, doe forthwith deliuer the same to the peti<sup>ti</sup>oner, provided the said Martha give in sufficient caution to respond all debts that shall justly appeare w<sup>th</sup>in twelue months. Accordingly, said Martha entred bond to the Tresurer of y<sup>e</sup> country, w<sup>th</sup> hir two suretjes, Richard Way & John Endecot, in y<sup>e</sup> pœnall bond of three hundred thirty & eight pounds, to respond the judgment of the Court, w<sup>ch</sup> is on file.

The true copies of the originall will of Andrew Shephard, as also the inventory given in to the County Court at Boston, signed vnder the hands of y<sup>e</sup> officers of y<sup>t</sup> Court May 31<sup>th</sup>, 76, & June 14<sup>th</sup>, 76, were product in Court, pervsed, & are on file.

Also, execcution issued out, according to y<sup>e</sup> Courts order aboue written, ag<sup>t</sup> the said Jn<sup>o</sup> Scottow & Jn<sup>o</sup> Endecot, in y<sup>e</sup> words, w<sup>ch</sup>, at request of the said Martha Emery, w<sup>th</sup> its returne, stands thus entred & recorded:—

30 October.

To Edward Mitchelson, marshall generall, or his deputy:—

In his maj<sup>ties</sup> name, yow are required to levy, by way of execution on the estate or persons of Jn<sup>o</sup> Scottow & John Endicott, joint execcuto<sup>r</sup>s to the estate of the late Andrew Shepheard, to value of one hundred sixty nine pounds nine shillings & one penny, being the ballance of the account of the inventory, in such specie as is exprest in the inventory, by them given in money in leiw thereof, and deliuer the same, w<sup>th</sup> two shillings for this execution, to Martha Emery, the said Shepheards only sister, & is in sattisfaction of a judgment granted hir by the Generall Court for the same, w<sup>th</sup> hir acceptance of the aboue mentioned account, making y<sup>e</sup> returne, as the law directs. Dated in Boston, 27<sup>th</sup> of October, 1677.

By the Court.

EDWARD RAWSON, Secre<sup>t</sup>.

Endorsed: I haue seized, in goods & mony, on Jn<sup>o</sup> Scottow & John

Endecot, the sume of one hundred sixty & nine pounds ninne shillings & one penny, which is in full of this execution, this 30<sup>th</sup> of October, 1677, & deliuered to Martha Emery.

1677.

30 October.

EDW<sup>d</sup> MICHELSON, Marshall Generall.

Thus it is entred & recorded.

The account, given in to Martha Emery, of hir late brother Andrew Shephards estate, by Jn<sup>o</sup> Scottow & John Endicot, & by hir tendred to the Courts officer, w<sup>th</sup> hir acknouledgment & acquittanc vnder the same, by hir signed before Joseph Dudley, Assistant, at hir request, also stands thus recorded:—

\*The estate of Andrew Shephard is d<sup>r</sup> to Jn<sup>o</sup> Scottow & Jn<sup>o</sup> Endecott for sundry disbursments:— [\*169.]

	li	s	d
To mony p <sup>d</sup> John Endecott for so much lent Andrew Shephard } before he dyed, . . . . .	05	00	00
To mony paid ditto for so much lent M <sup>rs</sup> Shephard before she died,	01	10	00
To mony paid for a pallat bedstead, . . . . .	01	01	00
To brandy, bread, & wine, & beare for M <sup>rs</sup> Shephard & hir watchers,	00	06	00
To mony paid for two coffyns, posts, and rayles, . . . . .	02	00	00
To ringing the bell and digging the graues, . . . . .	00	08	00
To mony to M <sup>r</sup> Taylor for wine, . . . . .	00	15	00
To the washerwoman, . . . . .	00	01	00
To sundry disbursments on relations & watchers, & at aprizing } y <sup>e</sup> goods, . . . . .	00	06	00
To the nurse, . . . . .	00	05	00
To portrage & expences at vnloading the barcque, . . . . .	00	08	00
To mony paid M <sup>rs</sup> Shephards negro by hir order, . . . . .	00	06	00
To mony paid the carter for remooving the goods, 2 <sup>s</sup> , & to a } porter, 2 <sup>s</sup> , . . . . .	00	04	00
To aying the goods & other charges, . . . . .	00	03	00
To M <sup>r</sup> Shephards nurse, . . . . .	00	10	00
To Jeremiah Fitch, for gloues for the funerall, . . . . .	05	00	00
To Thomas Heath, for mournings, . . . . .	09	12	00
To Thomas Bingley, for mournings, . . . . .	07	11	00
To expences about sale of the vessell, . . . . .	00	08	00
To weighing & houseing the logwood, . . . . .	02	00	00
To expences at sundry times, . . . . .	00	17	00
To ringing the bell & black cloth, . . . . .	00	03	00

1677.	To Mr John Hayward, for drawing the will, inventory, accots, {	02 00 00
	examining writings, &c, . . . . . }	
30 October.	To Mr Elisha Cooke, for medicines as p receipt, . . . . .	02 16 00
	To Mr Dudley, for custome of logwood, . . . . .	00 15 00
	To Mr Addington, for writtings, . . . . .	00 05 00
	To mony paid Willjam James, for mony lent Mr Shephard in y <sup>e</sup> Bay, . . . . .	01 05 00
	To Richard Smith, for seueralls, dd to Mr Shephard, . . . . .	00 15 01
	To Jn <sup>o</sup> Cragg, phisition, for medicines, &c, . . . . .	04 00 01
	To Mr Snelling, phisition, . . . . .	01 10 00
	To Edward Bud, for house rent, . . . . .	02 18 00
	To expences at receipt of mony for the barcque, . . . . .	00 07 05
[*170.]	To Mr Jm Davenport, for his servant keeping the barcque, . . . . .	01 10 00
Follōing	*To Dr Chickering, . . . . .	00 04 00
	To necessaryes for the negro, . . . . .	00 02 00
	To Mr Taylor, for wine at the funerall, . . . . .	00 15 00
	To Belknap, for gloues, . . . . .	01 00 00
	To Robert Carver, for a debt, . . . . .	08 03 00
	To Edward Budd, for mony lent Mr Shephard, . . . . .	00 17 06
	To clothing for the negro, . . . . .	00 10 00
	To a legacy given to Jn <sup>o</sup> Endecott, . . . . .	05 00 00
	To a legaty giuen to Jn <sup>o</sup> Scottow, . . . . .	05 00 00
	To Goodwife George, for a pajre of fine sheets, . . . . .	01 00 00
	To ditto, for butter deliuered to Mr <sup>s</sup> Shephard, . . . . .	02 00 00
	To Mr Anthony Chickley, for a debt due by bill by Mr Shephard, . . . . .	05 00 00
	To six months warehouse roome & charges for about the weyhing of the logwood, . . . . . }	07 00 00
	To mony to W <sup>m</sup> Aglin, for a debt, . . . . .	00 02 06
	To mony for a pillow beare, borrowed p Mr Shephard & lost, . . . . .	00 03 06
	To disbursements at two Courts with Mr Alford in defending the estate, . . . . . }	02 01 08
	To disbursements in defending the estate at a Court ag <sup>t</sup> Haudford, Higgs, & Midlecot, . . . . . }	02 10 09
	To disbursements in defending the estate at a Court of Assist- ants against Midlecott, . . . . . }	02 07 00
	To seventeen weeks djet for y <sup>e</sup> negro, at 4 <sup>s</sup> p weeke, . . . . .	03 08 00
	To rent for a chamber to lay vp the goods, . . . . .	02 10 00
	To Mr <sup>s</sup> Emery p execution, . . . . .	53 05 00
In all, . . . . .		<u>159 19 10</u>

To Jn<sup>o</sup> Scottow, for his trouble & time, attendance vpon Courts, &c, 010 000 1677.  
 To John Endecott, for his trouble & time in attendance vpon Courts, 010 00 00

30 October.

179 19 10

Signed, this 27<sup>th</sup> 8 mo., 77.

JOHN SCOTTOW,  
JOHN ENDECOT.

\*P contra is cred<sup>t</sup>, —

11 s d [\*171.]

By wearing apparrell, goods, logwood, & mony, rec<sup>d</sup> as p invent<sup>o</sup>, 349 08 11

Vnderwritt.

This is to certify all whom this doeth or may concerne, that Martha-Martha Emery Emery, onely sister to the late Andrew Shephard, hauing, by the honored <sup>acceptance of</sup> Generall Court, granted vnto me the estate of my sajd late brother Andrew Shephard, which, by the inventory given into the hono<sup>r</sup>d County Court by Jn<sup>o</sup> Scottow & John Endecott, execcuto<sup>rs</sup> to the last will & testament of the sajd Andrew Shephard, appeares to amount to the su<sup>m</sup>e of three hundred forty & nine pounds eight shillings & eleven pence, which inventory I haue seen & perused; and also the accounts of the sajd execcuto<sup>rs</sup> haue rendred vnto me of their disbursments in money to the estate <sup>of</sup> Andrew & his wife before they dyed, and on their funeralls expences & payments to phisitions, and other necessary chardges thereabouts, & in suites of law for their oune time, w<sup>th</sup> payment of fifty three pounds five shillings paid vnto me by virtue of execution; all w<sup>ch</sup>, as on this account on the other side, appeares to be one hundred seventy & nine pounds nineteen shillings & tenn pence, w<sup>ch</sup> I accept and allow of; so that there rests due, in goods & money, as the ballance of that accompt, the su<sup>m</sup>e of one hundred sixty nine pounds nine shillings & one penny. In wittness of my acceptanc of their account, I subscribe my name this 27<sup>th</sup> day of October, 1677.

The marke of  MARTHA EMERY.

Martha Emery appearing acknowledged this account to be received by hir, & to satisfaction, this 27 8, 77.

Before me, JO: DUDLEY, Assistant.

Wittnes to hir signing & m<sup>r</sup>ke, 28 8, 77.

Edward Rawson,  
George Broughton,

Thus entred & recorded at request of sajd Martha Emery.

p EDW: RAWSON, Secre<sup>t</sup>.



1677.

30 October.  
Ans<sup>r</sup> to Mr  
Russells peti-  
tion as to dry  
docke.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of James Russell, Jn<sup>o</sup> Heyman, Samuel Ballard, & Jn<sup>o</sup> Phillips, of Charles Tounce, in behalfe of themselves & others, relating to a dry docke, it is ordered, that the order of this Court in 1667, relating to the building of a dry docke, take place & be in force as to any person in Boston or Charles Tounce first building the same.

[\*172.]

Ans<sup>r</sup> to Marl-  
borow peti<sup>ti</sup>on.

\*In answer to the petition of the inhabitants of Marlborow, humbly desiring y<sup>t</sup> the tract of land lately belonging to the Indians there might be conferrd vpon the inhabitants, that they might be free for some time for paying country rates, &c, the Court judgeth it not meete to grant their requests.

Salisbury, 13<sup>th</sup> 7 mo., 1677.

Committees  
judgm<sup>t</sup> in  
Salisbury case.

Wee, whose names are subscribed, appointed by the honorable Gennerall Court May 23, 1677, vpon our repayre to Salisbury, and notice given to all partjes to yeild their attendance, a ffull hearing & plea being allowed to Major Pike & the Reuerend Mr Whelewright, and others of the church concerned, wee finde, that though the originall fault chardged vpon Major Pike was not a matter of plajne immorallity & scandall, yet that, in the after mannagement & prosecution of the difference between himself and sajd Whelewright, pastor, hee hath shewed himselfe too litigious in impeaching him w<sup>th</sup> so many artickles vnder his hand, thereby procuring great disturbance to the church & place, and also much contempt of sajd Whelewrights person & office, in publickely retorting vpon him those words in the 7<sup>th</sup> of Mathew the 5<sup>th</sup>, 'Cast out the beame,' &c, and of him and the church in his suddain w<sup>th</sup>drawing, and with much contempt refusing their judgement, as prooved against him, of all w<sup>ch</sup> wee expect his candid acknowledgment; neither can wee excuse Mr Whelewright of too much præcipitancy in pronouncing a sentence of exco<sup>m</sup>munication against sajd Pike w<sup>th</sup>out further tryall for repentance, according to the vote of the church, if he repent not, agravated in that the offence was primarily personall, and thereby plainly hazarding the breach of the church, being but eight and seven, which sadly came to passe. Wee cannot but condemne that euill practise of those of the church & towne that did endeavo<sup>r</sup> in their petition to the Gennerall Court to eject Mr Whelewright his ministry, by rendring him to be the cause of the disturbance, and that his ministry had a tendency to the inflaming the mindes of people one against an other — a practise of so dangerous a consequence that not only the contriuers, but euen those that were draune thereinto ought to reflect vpon with selfe condemnation, which wee expect to heare from them.

[\*173.]

Wee finde, also, that those brethren, with Major Pike, \*are chargeable for

breach of cōmunion & a tendency to schisme in their so farr espousing that quarrell as to w<sup>th</sup>draw, and those of Amesbury alike faulty for their particular interposing in that matter, which they were not present at the mannagement of, too much espousing a party rather then seeking the churches peace; and therefore doe aduise & pray a generall & serious sence of these particullars in the seuerall partjes concerned, & that M<sup>r</sup> Whelewright & the church doe, vpon the majo's confession as aboue, receiue him againe to their cōmunion, hoping M<sup>r</sup> Whelewright & the church will see the errour of the former transaction, as intimated aboue, and that they all agree together to obteyne some other godly and learned person to assist their pastor in the worke of his ministry, not abating his former maintenance amongst them.

1677.

30 October.

DANIEL DENISON,  
J: DUDLEY,  
THOMAS SAVAGE,  
HUGH MASON,  
DANIEL FISHER.

To y<sup>e</sup> hono<sup>r</sup>ble the Geñll Court, now sitting.

The returne of the cōmittee appointed to repaire to Salisbury to settle & com-  
pose the dissentions there.

Comittees re-  
turne in Salis-  
burys case as to  
Major Pike &  
Mr Wheele-  
wrights &  
Courts accept-  
ance.

Hauing given notice to the church & persons concerned in Salisbury of our intentions to be there on the 12<sup>th</sup> of September last, to attend the order and cōmission given us by the last Court, & accordingly most of us repaying thither, & convening the people, & acquainting them with our cōmission, & signifying to them that their dissentions and the disturbances among them were greivous & scandalous, and accordingly advising them to Christian composure & due reflection on their late distempers, they had full liberty to declare their causes.

The pastor begining to declare the grounds of his, & those w<sup>th</sup> him, proceedings, in like manner, hauing heard Major Pike, and such other as were with him, to speake freely & fully, wee told them they should soone after vnderstand our minds and sence, w<sup>ch</sup> was deliuered to them, whereof the annexed is a true copy.

Copies whereof wee gaue to both partjes, after read to the assembly, gaue them that night<sup>s</sup> consideration, and in the morning, in the open assembly, though w<sup>th</sup> some difficulty, wee obteyned their compljance therein & remission of all offences mutually, and M<sup>r</sup> Whelewright & the churches free reception of Major Pike into their fellowship againe, & resolution, by Gods

1677. helpe, to bury & forget all past miscarriages, & live in loue & the feare of God.

30 October.

DANIEL DENISON,  
JOSEPH DUDLEY,  
THOMAS SAUAGE,  
HUGH MASON,  
DANIEL FISHER.

Maj<sup>r</sup> Apleton was p<sup>s</sup>ent, consented & signed, but is now absen[t].

J. D.

This returne is accepted of by the Court.

[\*174.]

Courts ans<sup>r</sup> to  
Cap<sup>t</sup> & Scot-  
tows peti<sup>o</sup>n  
for way of dis-  
charge of hir,  
&c, disbursm<sup>ts</sup>  
on & by y<sup>e</sup>  
county of  
Yorke.

\*In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Joshua Scottow, humbly crauing the favo<sup>r</sup> of this Court to order the payment of his & others disbursments mentioned in the account given in as on behalf of himself & seuerall of the inhabitants of Scarborow, it is ordered, that the peti<sup>o</sup>n<sup>rs</sup> be referred to proceede for sattisfaction as the law touching disbursments doth direct, provided after such procedure the accounts be remitted to the county of Yorke for payment.

Courts ans<sup>r</sup> to  
Sar<sup>t</sup> Johnsons  
letter, garrison  
to be main-  
teynd at their  
charg or  
draune of.

17. 8. 77.

Vpon the Courts reading Sarjant Johnsons letter from Black Point, it is ordered, that the persons there concerned take care for supply & maintenance of that garrison at their oune charge, or be instantly draune of.

In answer to the petition of Cap<sup>t</sup> Joshua Scottow, in behalfe of himself & the rest of the inhabitants of Scarborow, the Court judgeth it meet to grant the peti<sup>o</sup>n<sup>rs</sup> all such armes & affinion as are now in the garrison at Black Point belonging to the country for the defence of the same, the quantity to be taken notice of by some meet person appointed, & that a like proportion be returned when called for by this Court or council, and also, that the peti<sup>o</sup>n<sup>rs</sup>, inhabitants of Scarborow, who shallbe engaged in the vpholding of this garrison, to be freed from all country rates while they shall so doe.

Courts ans<sup>r</sup> to  
M<sup>r</sup> Daui<sup>e</sup>s pe-  
ti<sup>o</sup>n as to y<sup>e</sup>  
differene be-  
twene him &  
M<sup>r</sup> Boy<sup>s</sup>es off-  
seers.

Courts order &  
ans<sup>r</sup> to Hatt-  
feild as to y<sup>e</sup>  
rates, &c, 12  
fire armes when  
returnable, &c,  
12 or 16 to y<sup>e</sup>  
garison, on w<sup>t</sup>  
termes.

In answer to the petition of Humphrey Daue, this Court doeth order, that the trustees or ouerseers of the estate of M<sup>r</sup> Antipas Boyse, deceased, and the sajd Davje, if they cannot agree, they shall choose audito<sup>rs</sup> to issue the accounts & difficultjes betweene them, and returne the issue to this Court, and in the meane tyme pay the ballance to M<sup>r</sup> Davie in order to its returne to England.

In ans<sup>r</sup> to them of Hattfeild, it is ordered, that the rates of those of that toun who haue binn impouerished by the late cruelty of the innemy burning doune their habitations, shallbe respitted and left in their hands vntill the

Court shall give further order therein; and that twelue fire armes be deliuered by the Tresurer to Leiff Allis for the supply of those that haue left their armes at Hattfeild, & to be returned againe when the Court shall demand them; and do leaue it w<sup>th</sup> the council to give order for the twelue or sixteene men to be helpfull for their security in a garrison, now or in the spring, as shall appeare to them to be necessary, the country being at the chardge only of their wages and amunition.

1677.

30 October.

In answer to the petiçōn of James Hudson, the Court grants his request, i. e., a hearing of his case this afternoone, & y<sup>t</sup> sub forma pauperis, & y<sup>t</sup> y<sup>e</sup> parties concerned haue present notice, w<sup>ch</sup> was issued out imēdiately.

Ans<sup>r</sup> to Hud-  
sons peti.,  
Hudson ag<sup>t</sup>  
Brayden.

\*In the case of James Hudson, plaintiff, by his petiçōn, against James Brayden & John Ruggles, deffendants, craving the favour of this Court for releife in refference to damage donn vpon his land lying vpon Long Island by sajd Brajden, or Rugles, his tennant —

[\*175.]

Hudson ag<sup>t</sup>  
Rugles & Braj-  
den.

The Court, on a full hearing of the case & euidences therein, doe finde for the plaintiffe, viz<sup>t</sup>, Hudson forty shillings damage, and to be leyed vpon the estate of the sajd Ruggles, and that the plaintiffe enjoy the vse of his land w<sup>th</sup>out fencing.

*\*Att a Gennerall Court for Elections, held at Boston, 8<sup>th</sup> of May, 1678.*

1678.

8 May.

J<sup>N</sup><sup>o</sup> LEUERET, Esq<sup>r</sup>, was chosen Go<sup>u</sup>ino<sup>r</sup> for y<sup>e</sup> yeare ensuing, & took his oath 9<sup>th</sup> ins<sup>t</sup>.

[\*176.]

Samuel Symonds, Esq<sup>r</sup>, was chosen Dep<sup>ty</sup> Go<sup>u</sup>ino<sup>r</sup>, &c, & tooke his oath.

Symon Bradstreet, Esq<sup>r</sup>, was chosen an Assistant,

Daniel Gookin was chosen an Assistant,

Daniel Dennison was chosen Assistant

Thomas Danforth was chosen Assistant

W<sup>m</sup> Hathorne was chosen Assistant,

J<sup>n</sup><sup>o</sup> Pynchon was chosen Assistant,

Edward Tyng was chosen Assistant,

W<sup>m</sup> Stoughton was chosen Assistant,

Joseph Dudley was chosen Assistant

Peter Bulkeley was chosen Assistant,

& Majo<sup>r</sup> Geñll.

& 1<sup>st</sup> Co<sup>m</sup>issio<sup>r</sup> for y<sup>e</sup>  
Vnited Colonjes.

Esq<sup>r</sup>s.

& 2 Co<sup>m</sup>issio<sup>r</sup>s.



1678. and tooke all their oathes to their places 9<sup>th</sup> of May, 1678, y<sup>e</sup> 2 absent only excepted.

8 May.

Edward Rawson was chosen<sup>t</sup> Secretary, & tooke his oath, 9<sup>th</sup>.  
Mr John Hull was chosen Tresurer, & tooke his oath.

The Court was adjourned till y<sup>e</sup> morning at 9 of y<sup>e</sup> clocke.

The names of the seuerall deputjes returnd from the townes to serve at this Court were, —

Salem: Mr Edmund Batter, Mr Bartholmew Gidney.

Charls Toune: Mr Thō Graves, Mr Jacob Greene.

Dorchester: Lef<sup>t</sup> Jn<sup>o</sup> Capen, Mr ^ Sumner.

Boston: Major Thō Sauage, Mr Anthony Stoddard.

Roxbury: Mr Edward Morris.

Water Toune: Mr Symon Stone.

Cambridge: Mr Edw<sup>d</sup> Oakes, Mr Joseph Cooke.

Lynn: Ensigne Jn<sup>o</sup> Fuller.

Ipsuich: Mr Jn<sup>o</sup> Apleton.

Newbery: Mr Caleb Moody.

Weymouth: Mr Jn<sup>o</sup> Bicknell.

Hingham: Mr Thomas Andrews.

Concord: Mr Cap<sup>t</sup> Thō Brattle.

Dedham: Cap<sup>t</sup> Daniel Fisher.

Springfeild: ^

Andouer: Ens<sup>i</sup> Thomas Chandler.

Hampton: Mr Sam<sup>l</sup> Dalton.

Rouley: Mr Jn<sup>o</sup> Peirson.

Wooborne: Mr Humphry Dauy, Lef<sup>t</sup> W<sup>m</sup> Johnson.

Braintry: Mr Samuel Tompson.

Hauerill: Mr Henry Palmer.

Maulden: Cap<sup>t</sup> Jn<sup>o</sup> Wayte.

Beuerly: Mr Jn<sup>o</sup> Dodge.

Kittery: Cap<sup>t</sup> Jn<sup>o</sup> Wincoll.

Major Thomas Sauage was chosen Speaker for this session.

PRESENT, Jn<sup>o</sup> Leuerett, Esq̃, Goũno<sup>r</sup>,  
 Sam<sup>l</sup> Symonds, Esq̃, Dep<sup>t</sup> Goũ.  
 Symon Bradstreet,  
 Daniel Gookin,  
 Daniel Dennison,  
 Thō Danforth,  
 W<sup>m</sup> Hathorne, } Esq̃s.  
 Jn<sup>o</sup> Pynchon,  
 Edw<sup>d</sup> Tyng,  
 Joseph Dudley,

1678.

9 May.

\*Whereas M<sup>r</sup> W<sup>m</sup> Stoughton & M<sup>r</sup> Peter Bulkley, our agents, are still [ \*177.] obstructed in their returne, and no allowance hath yet been made for their service, it is ordered, that one hundred pounds be payd to each of them for the bennefitt and releife of their familjes in their absence, and that the same be paid in money, or at money prize.

That there be a full and cleere settlement of all accounts of disbursments relateing to the warr, it is hereby ordered & declared, that all and euery person or persons in this jurisdiction challenging any thing of the country, shall, once betweene this & the last of July next, bring in their accounts, duely examined and allowed, according to law in such cases made, and present the same to the country Tresurer, or otherise they may not expect any sattisfaçõn for ought in any respect.

Information being given to this Court of some person or persons as yet vnknoune, that hath either, by word or writting, vttered such things as tends much to the reproaching of our present honor'd Gouverno<sup>r</sup> & gouvernement, that due testimony may be borne against such persons & things, it is ordered, that Thomas Danforth & Jn<sup>o</sup> Pynchon, Esq̃s, w<sup>th</sup> Leif<sup>t</sup> W<sup>m</sup> Clarke, M<sup>r</sup> Peeter Tilton, M<sup>r</sup> Thō Graues, & Cap<sup>t</sup> Daniel Fisher, be a comittee to make diligent enquiry into this matter as to persons & things, and accordingly to make returne of what they shall finde therein, to the sessions of this Court in October next.

The Court, for some import<sup>ẽ</sup> reasons therevnto mooving, judge it not meete to sitt any longer time at this sessions, nor cann there be an issue put to all matters depending at present. It is therefore ordered, that all petitions which haue binn duely entred, and haue not binn considered off, and what petitions may yet be entred according to law before the Court breake vp, together with any other thing or things which haue binn orderly received,

1678. that they, and euery of them, (salvo jure,) to euery man, shall all be referred to the nex sessions in October.

9 May.

The case between Hudson Leueret, &c, Douden or Paddy to be heard 1st Fryday in October.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Hudson Leueret & Sampson Shoare, the Court judgeth it meete to grant the petiçōners request, i. e., a hearing of the case in October next, on the first Fryday in that session, & y<sup>t</sup> timely notice be given to partjes concerned.

[\*178.]

Ans<sup>r</sup> to James Brajdens petiçon, case to be heard.

\*In ans<sup>r</sup> to the petition of James Brajding, the Court judgeth it meet to grant the petiçōner a hearing of the case on the first Saturday in the next sessions of this Court in October, at eight of the clocke in the morning, y<sup>t</sup> all partjes concerned being seasonably suimoned, and caution entred for the hearing of the case.

Ans<sup>r</sup> to Redding petiçon, case to be heard.

In ans<sup>r</sup> to the petiçōn of W<sup>m</sup> Coudrey, Robert Burnap, Jn<sup>o</sup>than Poole, &c, in behalfe of the inhabitants of Redding, the Court judgeth it meet to grant the petiçōners a hearing of the case mentioned in their petiçōn, at the next sessions of this Court in October next, all partjes being seasonably warned to attend their concernes, & caution being given to the secretary for the Courts hearing of the case.

Y<sup>e</sup> case betweene Salem & Beilly to be heard, caution to be given.

There being a returne made by the co<sup>m</sup>ittce appointed by the Generall Court, as to a new survey of the land in controuersy betweene the tounes of Salem & Beuerly, which is on file, the Court judgeth it meete to grant a hearing of the case at the sessions of this Court in October, on the fowerth day of the second weeke of the Courts sitting, & that partjes concerned take due notice hereof.

Ans<sup>r</sup> to Wenham petition.

And in ans<sup>r</sup> to a petiçōn from the inhabitants of Wenham, p<sup>s</sup>ented to this Court, of like nature, & hath refference to y<sup>e</sup> case aboue, the Court grants it may then be heard also.

Associates for Douer & Portsmouth.

Majo<sup>r</sup> Richard Waldron, Cap<sup>t</sup> Thomas Daniel, M<sup>r</sup> Richard Martjn, & Cap<sup>t</sup> Eljas Styleman, being nominated as chosen for assosiates for the county of Douer & Portsmouth for this year, were allowed of by the Court.

Gen<sup>e</sup> in Douer & Portsmouth in magistraticall authority.

Magistratticall power is granted to Majo<sup>r</sup> Richard Waldron, Cap<sup>t</sup> Eljas Styleman, & M<sup>r</sup> Richard Martyn, in Douer and Portsmouth, as formerly, for the yeare ensuing.

Major Waldron in magist. in Yorks.

Majo<sup>r</sup> Richard Waldron is apointed to execute magistratticall authority in Yorkshire for y<sup>s</sup> yeare.

Associats for Yorks.

And Cap<sup>t</sup> Jn<sup>o</sup> Wincol, M<sup>r</sup> W<sup>m</sup> Symonds, & M<sup>r</sup> Samuel Whelewright, are approoved & allowed to be associats for y<sup>t</sup> county & \*County Court for the

[\*179.]

Major Waldron power to give oathes, &c.

yeare ensuing, w<sup>th</sup> full power as formerly.

It is ordered, that Majo<sup>r</sup> Waldron take his oath here, and that he give

the other gent<sup>n</sup>, co<sup>m</sup>missioners, & associates their oaths in those countys of 1678.  
Yorkshire, Douer & Portsmouth.

Majo<sup>r</sup> Robert Pike, Cap<sup>t</sup> Nathaniel Saltonstall, M<sup>r</sup> Samuel Dalton, & M<sup>r</sup> Jn<sup>o</sup> Gilman were approoved of, & allowed for associats for the County Courts of Norfolke for this yeare. 9 May.  
Associats for  
Norfolke.

Magistratticall power is granted, as was formerly, to Cap<sup>t</sup> Natha<sup>n</sup> Saltonstall, of Hauerill, for the yeare ensuing. Cap<sup>t</sup> Saltonstall.

Magistratticall power is granted, as formerly, to M<sup>r</sup> Samuell Dalton, of Hampton, for y<sup>e</sup> yeare ensuing. M<sup>r</sup> Dalton.

Magistratticall power is granted to M<sup>r</sup> Jn<sup>o</sup> Gilman, in Exitur, for y<sup>e</sup> yeare ensuing. M<sup>r</sup> Gilman in  
magistratticall  
authority.

Magistratticall power is granted, as formerly, for the yeare ensuing, living in Newbery for the yeare ensuing, to M<sup>r</sup> Jn<sup>o</sup> Woodbridge. M<sup>r</sup> Jn<sup>o</sup> Woodbridge in magi-  
stratticall au-  
thority.

Leift<sup>a</sup>nt W<sup>m</sup> Clark, Leif<sup>t</sup> W<sup>m</sup> Allys, M<sup>r</sup> Peter Tylton, & Leif<sup>t</sup> Samuel Smith are approoved of, & allowed to be associates for the year ensuing to y<sup>e</sup> County Courts in Hampshire. Hamps. associ-  
ates.

Thomas Danforth, Esq<sup>r</sup>, is appointed & hereby co<sup>m</sup>missionated & impowrd to keepe the County Courts, w<sup>th</sup> the associates in Portsmouth & Wells for this yeare. Tho. Danforth,  
Esq<sup>r</sup>, to keepe  
y<sup>e</sup> Courts at  
Wells & Ports-  
mouth.

W<sup>m</sup> Hathorne, Esq<sup>r</sup>, is appointed & hereby co<sup>m</sup>missionated & impoured to keepe the County Courts in Norfolke for this yeare ensuing, w<sup>th</sup> the associates there. Maj<sup>r</sup> Hathorn  
to keepe Norf.  
Courts.

Cap<sup>t</sup> Dudley Bradstreet is hereby appointed to joyne persons together in marriage at Andiuer, one or both of whom being settled inhabitants there, & being published according to law. Cap<sup>t</sup> Dudley  
Bradst. pouer  
to marry in  
Andiver.

In ans<sup>r</sup> to the petition of the seuerall troopers at Salem, the Court judg-eth it meet to grant their request, i. e., that Captaine George Coruin be cap- taine ouer a troope in Salem, as in the former part of the peti<sup>c</sup>on is exprest. Cap<sup>t</sup> Georg  
Corwin cap<sup>t</sup> of  
a troop in Sa-  
lem.

In ans<sup>r</sup> to the peti<sup>c</sup>on of Jn<sup>o</sup> Warner, of Hadley, humbly declaring his being debillitated as to nature & estate, aged, vnable to beare the burden of watchings, wardings, & traynings, desiring the Courts fauer for his exemption therefrom for time to come, the Court grants his request. Jn<sup>o</sup> Warners  
dismission.

\*Itt is heereby ordered, that the co<sup>m</sup>ittee for the Castle doe forthwith take effectuall care, & order that the Castle be fully finished & put into a posture of deffence, and that for the effecting thereof the Tresurer shall pay all bills not exceeding the value of two hundred pounds, which the sajd co<sup>m</sup>ittee shall charge vpon him for the accomplishment of the sajd worke. [\*180.]  
Co<sup>m</sup>ittees  
pouer to re-  
pajre the Cas-  
tle.

In answer to the petition of M<sup>rs</sup> Martha Eyres, widdow, the Court judg-eth it meet, & doe hereby order the select men of Boston to take care that the Courts ans<sup>r</sup> to  
M<sup>rs</sup> Eyres peti-  
c<sup>o</sup>n.



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deffective fence about hir garden adjoyning thereto to the prison ward be forthwith repayed or set up, so as may be most suiteable for such a place, & the charge thereof to be borne by the country & county Tresurers, according to the vsuall proportion.

Ans<sup>r</sup> to W<sup>m</sup>  
Blake, Eben-  
ezar Clapp, &c,  
peti<sup>o</sup>n., & ans<sup>r</sup>  
to all of like  
nature.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Blake, Ebenezar Clap, Georg Lyon, & James Tucker, of Milton, the Court judgeth it meet, & it is hereby ordered, that the selectmen of Dorchester doe forthwith restore to the petitioners their respective rates which they haue received, as is expressed in this petition, and that they, the sajd select men, shall & hereby are empowred to levy the same againe vpon the inhabitants of Dorchester; and further, that the answer of this petition shall be as an answer in all cases of this nature in all townes w<sup>th</sup>in this jurisdiction.

Ans<sup>r</sup> to Jn<sup>o</sup> &  
Rob<sup>t</sup> Bloods  
peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of Jn<sup>o</sup> & Robert Blood, late of Billirrica, in y<sup>e</sup> time of warr remooving & sheltring themselues at Concord, were rated there to y<sup>e</sup> ten rates, & payd it; but being demanded payment for sajd rates at Billirria, &c, & sued for y<sup>e</sup> same, & recouered ag<sup>t</sup> them, the Court declares that their ans<sup>r</sup> to W<sup>m</sup> Blakes peti<sup>o</sup>n, &c, of Milton, be their ans<sup>r</sup>, and it is ordered, that Concord returne them the mony againe, w<sup>th</sup>out charge to y<sup>e</sup> peti<sup>o</sup>n<sup>ers</sup>.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Watsons peti-  
o<sup>n</sup>.

In ans<sup>r</sup> to the petition of Jn<sup>o</sup> Watson, who hauing bought a parcell of land of Samuel May, late of Roxbury, as Abigaile, his widdow, knowes & ounes, & hath engaged to passe a deed of sale for the same, that he had payd for, humbly desiring that the sajd Abigaile May, widdow, may be authorized to make him a legall deed for y<sup>e</sup> same, the Court grants his request.

Ans<sup>r</sup> to Sam.  
Wights peti-  
o<sup>n</sup>.

In ans<sup>r</sup> to the petition of Samuell Wight, of Meadfeild, hauing suffered great loss by fier by y<sup>e</sup> Indian ennemy, brought very lowe, hymbly desiring the favo<sup>r</sup> of this Court to remitt him the rates, about 3 or 4<sup>u</sup>, already due for y<sup>e</sup> last yeare, hoping God will enable him to pay rates againe for the future, the Court grants his request.

[\*181.]

Ans<sup>r</sup> to Mary  
Madox peti<sup>o</sup>n  
& hir liberty.

\*In ans<sup>r</sup> to the peti<sup>o</sup>n of Mary Madox, the Court, hauing read & considered the contents of this petition, doe judge & declare, that y<sup>e</sup> condition of the petitioner being indeed circumstanced as she hath therein declared, y<sup>t</sup> her husband, Henry Maddox, hauing binn absent for a thirteen yeares, & never wrote or sent to hir in y<sup>t</sup> time, she is at liberty from the conjugall bond made w<sup>th</sup> the sajd Maddox, & at liberty to dispose of herselfe as she shall see meete.

Ans<sup>r</sup> to Cam-  
bridg Village  
peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of the inhabitants of Cambridge Village, on y<sup>e</sup> south side of y<sup>e</sup> riuer, the Court judgeth it meet to grant them a hearing of

the case mentioned on the first Tuesday of the next session in October, and all parties concerned are ordered to have timely notice.

1678.

In ans<sup>r</sup> to the motion of Humphry Davy, this Court doeth order, that the trustees of M<sup>r</sup> Bojse his estate shall nominate one person, & the said Davy all other, to examine & issue the exceptions & differences in the bookes of account of the said Boy<sup>s</sup>, wherein the said Davy is concerned, w<sup>th</sup>in two months next ensuing, and what they jointly judge due to the said Davy by the exceptions & accounts, that it be forth with payd vnto him or assignes out of the estate of the deceased; and in case of any agreivance of either party or fayling of performance of the premisses, or in case of any difficulty concerning the estate of the said Boy<sup>s</sup> relating to the said trustees, it is referred to the Gouerno<sup>r</sup> & council to act, determine, & execute all things relating to the premisses, or any of them, to a fynall issue, & particullarly that the said Davy may not be longer delayed.

9 May.  
Ans<sup>r</sup> to M<sup>r</sup>  
Humphry Da-  
vys motion.

In ans<sup>r</sup> to the petition of John Warner, of Cambridge, a wounded soldier, it is ordered, that the petitioner is & shall be hereby freed from traynings, and that he be allowed three pounds, to be payd him by the Tresurer of the country.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Warner of  
Cambridg, 3<sup>u</sup>  
allowed him &  
exempt from  
traynings.  
Ans<sup>r</sup> to Jn<sup>o</sup>  
Warner of  
Springfields  
peti., 20<sup>u</sup> grant-  
ed in p<sup>t</sup>.  
Lef<sup>t</sup> J<sup>n</sup>than  
Danforth im-  
powred to mar-  
ry & give  
oathes.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of Jn<sup>o</sup> Warner, lately of Hadley, now of Springfeild, the Court judgeth it meet to grant the peti<sup>ti</sup>oner twenty pounds, to be payd him by the Tresurer of the country for the present, towards his disbursements on & for y<sup>e</sup> country.

Lef<sup>t</sup> Jn<sup>o</sup>than Danforth is impowred to marry and administer oathes in the toune of Billirrica, according to law.

Leif<sup>t</sup> Samuel Smith, of Hadley, being very aged & weake, & not being so well able to dischargd military trust as heeretofore, on his request to this Court, is dischargd, and Aron Cooke, Ju<sup>n</sup>, of Hadley, is appointed to be captaine of the foote company there, & Phillip Smith be leiften<sup>nt</sup>, and Joseph Kellog, Se<sup>n</sup>, ensigne to y<sup>e</sup> said company.

Aron Cooke  
Jun. cap<sup>t</sup>,  
Philip Smith  
leif<sup>t</sup>, Joseph  
Kellog Sen.  
ensi., of foote  
company at  
Hadley.

[\*182.]

\*Sarjant Joseph Thompson is appointed ensigne to the foote company at Billirrica vnder Lef<sup>t</sup> Jonathan Danforth.

Sarj<sup>t</sup> Joseph  
Thompson en-  
sign at Biller-  
rica.  
Jn<sup>o</sup> Olliuer en-  
sign to Major  
Clarks compa.  
Jn<sup>o</sup> Modslly leif<sup>t</sup>,  
comission is-  
sued out.

M<sup>r</sup> Jn<sup>o</sup> Olliuer is appointed ensigne to the ffoote company vnder Major Thomas Clark in Boston.

Tho. Thirston  
leif<sup>t</sup> at Mead-  
feild.

John Modesley is appointed leiu<sup>t</sup> to the ffoote company at Westfeild.

Tho. Addams  
ensi. of  
Chelmsford.

Thomas Thirston is appointed leifte<sup>nt</sup> to the ffoote company at Meadfeild vnder Cap<sup>t</sup> Barber.

Thomas Addams is appointed ensigne to the foote company at Chelmsford.

Ans<sup>r</sup> to Sarah  
Stephnes peti-  
ti<sup>on</sup>, Tresurer  
to pay Sarah  
Stephens 4<sup>u</sup> in  
corn.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of Sarah Steevens, relict of Joseph Steephens, in-

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forming that her late husband, in y<sup>e</sup> time of the warr, being constable of Mendon, sent doune fower pounds worth of corne to Meadfeild, in order to its payment to the Tresurer, w<sup>ch</sup> was burnt there by y<sup>e</sup> ennemy, & hauing paid it to y<sup>e</sup> Tresurer, considering hir low condition, humbly desires she may be reimbursed the said fower pounds for hir releif, it is ordered, that the Tresurer doe reimburse hir the said sume, she taking hir oath to hir narrative y<sup>t</sup> y<sup>e</sup> corne was the country<sup>a</sup>.

Ans<sup>r</sup> to M<sup>rs</sup>  
Francis Reyners  
petiçon.

In ans<sup>r</sup> to the petition of M<sup>rs</sup> Francis Reyner, of Douer, widdow, it is ordered, that M<sup>r</sup> Richard Martjn, Cap<sup>t</sup> Thomas Daniel, & Leif<sup>t</sup> Nutter, of Douer, doe take p<sup>t</sup>icular account of the p<sup>re</sup>sent condition of the estate of both the M<sup>r</sup> Reyners, deceased, and make their report to the next sessions of this Court, what may be donn for the widdows relcife.

Ans<sup>r</sup> to Lawrence  
Cleutons  
petiçon.

In ans<sup>r</sup> to the petition of Laurenc Cleuton, it is ordered, that this case be referred to the Court of Assistants next to put issue therevnto, & that our present hono<sup>d</sup> Dep<sup>t</sup> Gouvern<sup>r</sup> or major geñll take bond of the petiçoner to prosecute accordingly.

Ans<sup>r</sup> to James  
Louells peti-  
çon.

In ans<sup>r</sup> to the petition of James Louell, of Weymouth, the Court sees not cause to grant the petitioners request, the case mentioned therein hauing binn heard & determined by the Gennerall Court once & agajne.

Ans<sup>r</sup> to Jer.  
Bumsteeds pe-  
tiçon.

In ans<sup>r</sup> to the petiçon of Jerremiah Bumstead, it is ordered, that the fine of the petiçoner be suspended, & that he stand bound to his good behaiour during the Courts pleasure.

Beuerlys  
brandm<sup>r</sup>ke.  
EB

In ans<sup>r</sup> to the request of Beuerly, it is ordered, that the letter **EB** be their brand mark.

[\*183.]

Order for y<sup>e</sup>  
Tres<sup>r</sup> to pfect  
his aco<sup>ts</sup>, &c.

\*It is ordered, that the Tresurer prepare all the country accounts as to the disbursments about the warr, & deliuer them to our com<sup>is</sup>sioners for the Vnited Collonjes before their going to Connecticott, the place of their next meeting.

Andiver &  
Tho. Fullers  
case.

Wee, whose names are vnderwritten, being appointed by the honord Geñl Court, October the 10<sup>th</sup>; 1677, to rvnn bounds of Andiver towards Wills Hill, in observance thereof wee mett at Andiver, the partjes concerned on each side, hauing notice of the same, were present. We begann at Andouer meeting house, and ran in a direct l<sup>j</sup>ne towards Wills Hills, (runing twenty nine degrees east from the south.) Wee measured sixe mile, good measure, by the chajne, and allowed thirty rods more for the dragging of the chajne, which ended at a red oake, which had a very great rocke by it on the north side, which red oake stands a few rods westward of the path that goeth from Andouer to Wills Hill; from this red oake wee rann, in a circular l<sup>j</sup>ne,

sevenscore pole on each side, keeping at the same distance from the meeting house, which cleared all that land between Andouer & Sarjant Fuller, which was in controuersy; and wee found that wee wanted fower score pole of reaching the former bounds, that Andouer challendged towards Wills Hill.

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Wittnes our hands.

JONATHAN DANFORTH, Survejo<sup>r</sup>;  
WILLJAM JOHNSON,  
SHUBALL WALKER,  
JEREMIAH SWEYNE.

The Court allowes & approues of this returne.

Two bills of costs in this case, betwene Andiver & Thō Fuller, was Their costs. presented, the one from the surveyo<sup>r</sup>s, &c, amounting to sixe pounds two shillings, & the other from Thomas Fuller, amounting to three pounds five shillings, in all nine pounds seven shillings, which the Court allowed, & ordered to be paid in mony, æqually, the one halfe by the towne, the other by Thō Fuller, Señ.

*Att the second Sessions of the Genll Court, held at Boston, 2<sup>d</sup> 2 October.  
October, 1678.*

PRESENT, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, Go<sup>v</sup>,  
Sañ Symonds, Esq<sup>r</sup>, D. G.  
Symon Bradstreet, }  
Daniel Gookin, }  
Daniel Dennison, } Esq<sup>r</sup>s.  
Thō Danforth, }  
Edw<sup>d</sup> Tyng, }  
Joseph Dudley, }

THE whole Covrt mett together, & the Go<sup>v</sup>no<sup>r</sup> read his maj<sup>ty</sup>s letter, w<sup>th</sup> the copie of the oath of allegiance sent therein, acquainting the Court that himself, y<sup>e</sup> Dep<sup>t</sup> Go<sup>v</sup>no<sup>r</sup>, & magis<sup>ts</sup> then present in council at Cambridge the 1<sup>st</sup> of August last, w<sup>th</sup> the secretary, tooke the sajd oath in tottidem verbis.

Also, at the same time, 2<sup>d</sup> of October, as aboue, our agents letters of



1678. April, July, & August last, w<sup>th</sup> Randall Houlden & John Greens peti<sup>cion</sup>, & our agents ans<sup>r</sup> thereto, were all read, & againe returnd to y<sup>e</sup> Go<sup>vrn</sup>o<sup>r</sup> againe.

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The 2 indentures ab<sup>t</sup> the Prouince of Majne were also read, & deli<sup>u</sup>ed in a black box to y<sup>e</sup> secretary, to keep for the Court.

More then ordinary occasions fallen, in the Court, by their order, respitted all private & p<sup>ar</sup>ticular cases to be respitted a hearing till 11<sup>th</sup> instant, at 8 of y<sup>e</sup> clock, when all partjes concernd were to attend, and sett apart y<sup>e</sup> 9<sup>th</sup> in<sup>st</sup>ant to humble y<sup>e</sup>mselues before the Lord, & seeke his face, desiring y<sup>e</sup> help of y<sup>e</sup> Go<sup>vrn</sup>o<sup>r</sup> and Assistants, & y<sup>t</sup> the Ref<sup>und</sup> M<sup>r</sup> Oakes giue a word of exhortation.

[\*184.] \**Att the second Sessions of the Gennerall Court, 2<sup>d</sup> October, 1678.*

Present as in y<sup>e</sup> other side, w<sup>th</sup> Majo<sup>r</sup> Pinchon.

Majo<sup>r</sup> Hawthōn keeping Court at Hampton.

Oath of allegi-  
ance.

I, A B, doe truely and sincerely acknowledge, proffesse, testifie, and declare in my conscience before God and the world, that our soueraign lord King Charles is lawfull and rightfull king of the realme of England, and of all other his majestjes dominions and countreyes, and that the pope, neither of himselfe, nor by any authority of the church, or sea of Rome, or by any other meanes with any other, hath any power or authority to depose the king, or to dispose of any of his maj<sup>ties</sup> kingdomes or dominions, or to authorize any forreigne prince to invade or anoy him or his country, or to dischargd any of his subjects of their allegiance and obedience to his majesty, or to give licence or leave to any of them to beare armes, raise tumults, or offer any violence or hurt to his majestyes royall person, state, or gouernment, or to any of his majestjes subjects w<sup>th</sup>in his majestjes dominions.

Also I doe sweare from my heart, that notw<sup>th</sup>standing any declaration or sentence of exco<sup>m</sup>munication or deprivation made or granted, or to be made or granted, by the pope or his successo<sup>r</sup>s, or by any authority deriued, or pretended to be derived, from him or his see against the sajd king, his heires or successo<sup>r</sup>s, or by any absolution of the sajd subjects from their obedience, I will beare faith and true allegiance to his majesty, his heires, & successors, and him and them will defend to the vttermost of my power against all conspiracjes and attempts whatsoever which shall be made against his or their persons, their croune and dignity, by reason or coulour of any such sentence

or declaration, or otherwise, and will doe my best endeavour to disclose and make knoune to his majesty, his heires, and successo's all treasons and trayterous conspiracjes which I shall know or heare of to be against him or any of them.

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And I doe further sweare, that I doe from my heart abhor, detest, and abjure, as impious and hæretticall, this damnable doctrine and position, that princes which be excoṁmunicated or deprived by the pope may be deposed or murdered by their subjects, or any other whatsoever.

And I doe beleive, and in my conscience am resolved, that neither the pope, nor any person whatsoever, hath power to absolue me of this my oath, or any part thereof, which I acknowledge, by good and full authority, to be lawfully ministred vnto me, and doe renounce all pardons and dispensations to the contrary; and all these things I doe plainly and sincerely acknowledge and sweare, according to these express words \*by me spoken, and according to the plaine and coṁon sence and vnderstanding of the same words, w<sup>th</sup>out equiuocation, or mentall evasion, or secret reservation whatsoever; and I doe make this recognition and acknowledgment heartily, willingly, & truly, vpon the true faith of a Christian. So help me God.

[\*185.]

Whereas it hath pleased his most excellent majesty, our gracious king, by his letter bearing date the twenty seventh of Aprill, 1678, to signify his royall pleasure that the authority of this his colony of the Massachusets in New England doe giue forth orders that the oath of allegiance, as it is by law established w<sup>th</sup>in this kingdome of England, be ministred and taken by all his subjects within this colony who are of yeares to take an oath, —

Order to take  
the oath of al-  
legiance.

In obedience wherevnto, and as a demonstration of our loyalty, it is ordered and enacted by this Court and the authority thereof, that, as the members of this Court now sitting haue readily taken the oath of allegiance, so, by their example and authority, they doe require and coṁand that the same oath be given and taken by all his majestjes subjects w<sup>th</sup>in this jurisdiction that are of sixteene yeares of age & vpwards.

And to the end this order be duely executed, it is hereby ordered, that a conuenient number of printed copie's of the sajd oath of allegiance, exactly agreeing w<sup>th</sup> the written copie inclosed in his majestjes letter, and signed by the secretary of state, to be sent forth to euery magistrate and justice of peace, and to the constable of euery toun w<sup>th</sup>in this jurisdiction.

And it is further ordered, that the magistrates and justices, or such as are coṁmissioned w<sup>th</sup> magistratticall authority, in euery county of this colony, doe, with all conuenient speed, repaire to the seuerall tounes & villages w<sup>th</sup>in this

1678. jurisdiction, at such time and in such order as they best may, and accomplish the same, giving forth their warrant to the constables of each tounne to conuene all the inhabitants of the age abouesajd, and taking their names in writting, administer the sajd oath of allegiance to each of them, and returne their names to the recorder of each County Court to be enrolled; and if any shall refuse to take the sajd oath, or absent themselues, vnless in case of sickness, the names of such shallbe returned to the recorder of the county, who are to be proceeded against by the County Courts respectively, for the first offence whereof he is legally conuicted, to pay such a fine as the County Court shall impose, not exceeding five pounds, or three moneths imprisonment in the common prison or house of correction; and for the second offence whereof he shall be lawfully conuicted, what sume the County Court shall inflict, provided it extend not ten pounds, or sixe moneths imprisonment, w<sup>th</sup>out bayle or majn prize.

[\*186.] \*It being the duty aswell as the practise of all good subjects to provide for the safety and security of the person, croune, & dignity of their soueraigne princes, this Court, being sencible of their duty and obligation to our soueraigne lord, the king, doe hereby order and enact, that whatsoever person w<sup>th</sup>in this jurisdiction shall compasse, imagine, or intend the death or destruction of our soueraigne lord, the king, (whom Almighty God preserve w<sup>th</sup> a long and prosperous reigne,) or to depriue or depose him from the style, honour, or kingly name of the imperiall croune of England, or of any other his majesties dominions, and such compassings, imaginations, devises, or intentions shall expresse, vtter, or declare, by printing, preaching, or malicious and aduised speaking, being legally convicted thereof, vpon the oaths of two lawfull and credible wittnesses, vpon tryall, or otherwise conuicted by due course of law, then euery such person or persons so offending shallbe declared and adjudged to be trayto's, and shall suffer the paynes of death.

Precedency of Itt is ordered by this Court and the authority thereof, that in all tounes companjes in w<sup>th</sup>in this jurisdiction where there shall be more companjes then one, the tounes. precedency of such companjes shallbe according to the priority of the captaines comission.

Clerks of the For the ascertaining the power of the clarkes of the writts, it is ordered, writts direc- that all clerkes of the writts shall signe warrants only in the tounes where tion. they are chosen or reside.

2. That all writts so signed shall passe in all Courts of judicature throughout the colony, they signing A B, p curia, for y<sup>e</sup> tounne of C.

Law for ex- There being a lawe made in October, 1675, prohibiting the exportjng porting of pro- of all sorts of prouission, which sajd law was to stand in force only during uissions re- pealled.

the Courts pleasure, which this Court hauing considered of, for good reason, judge meet hereby to repeale the sajd law.

1678.

Whereas seuerall persons, subscribers to the new building at Cambridge, are considerably behind in their payments, and many endeavours haue beene for the getting in thereof, but hitherto the end is not atteyned, this Court haue thought convenient that some meete person or persons in each tounne may be appointed & empowred to inquire into those deffects, and to demand and receive what is yet behind; and in case any shall refuse to make payment of what they haue subscribed or promised, the sajd person or persons \*hereby appointed, or to be appointed, are authorized to levy the same by distresse, as any constable may doe in respect of gathering in of rates, and what they shall get in they shall send or carry the same, and deliuer it to the ouerseers of the worke of the building at Cambridge, or where they shall order, the chardge of transportation to be defrayed out of the subscriptions; and the select men of euery tounne are hereby empowred & required to appoint meet men in their respective tounnes to this service, and to hasten the accomplishment hereof w<sup>th</sup> all expedition, and also to agree w<sup>th</sup> the collectors as to the charge in gathering in of the same, and that such of the collectors as doe not vnderstand what is behind & vnpaid, repaire to the ouerseers of the worke for their information.

2 October.  
Order for to require p<sup>rs</sup> behind of y<sup>r</sup> subscriptions to y<sup>e</sup> colledge.  
Order empowering collect<sup>rs</sup> in y<sup>e</sup> tounnes to gather, &c, what is due to y<sup>e</sup> colledge.

[\*187.]

The prouidence of God hauing remooued from us the wo<sup>r</sup>p<sup>l</sup> Samuel Symonds, Deputy Gouverno<sup>r</sup>, whereby that place is voyd, and the number of the Assistants of this colony below the prouission of the patent, & his majesties gratiours indulgence thereabouts, whereby wee are in great measure incapacitated to mannage the cuntryes concernes, this Court doth therefore order, that the ffreemen of the seuerall tounnes doe send in their voates for a Deputy Governo<sup>r</sup>, and alike their voates for the seuerall persons vnder written, according to law, being the persons last yeare in nomination not chosen, so as they may be opened on Monday, twenty fifth instant, that supply may be accordingly made, and the cuntryes interest and service not neglected.

Order for nominating of a Dr<sup>t</sup> Go. & choice of Assistants.

It is ordered, that there be three rates rayseed this yeare, one in money, the other two in corne, at prizes hereafter mentioned, viz<sup>t</sup>, wheat at fve shillings, pease, barley, & barley mault at fflower shillings, Indian corne at three shillings, oates at two shillings sixe pence p bushell, to be paid in to the Tresurer, the money rate by the last day of December next, the other rates by the last day of March next, all corne to be brought in at the charge of the tounnes; rye is excepted, not to be paid in for rates.

Order as to rates.

This Court, hauing voted the acceptance of the bargaine of our agents for the Prouince of Majne, doe order, that the Tresurer take effectuall order for the payment thereof, according to their engagement, & for his enabling

Order about the Prouince of Majne.



1678. herein, that the customes be security to himself, & such as shall lay doune the money in the countrys behalfe, vntill they be fully sattisfied, for both principall, exchange, & loane. Also, this Court doth desire the Gouverno<sup>r</sup> & counsil to take order for the improouement, goūnment, & disposall of the sajd place by sale or otheruise, for the reimbūsing the sajd money in the countrys treasury, as to them shall seeme most meet & best.

2 October.

[\*188.] \*It hauing binn presented & recomēded vnto this Court by the comissioners of the Vnited Colonys at their last session at Hartford in September last, that the sajd seuerall colonjes might agree together to prostrate themselves joyntly before God for the obteyning of the Lords gracious expression of himself vnto, & continuance w<sup>th</sup> us, as in the ffollowing p̄ticulars by y<sup>em</sup> is signified, viz<sup>t</sup>: 1. That wee may be suteably affected w<sup>th</sup> & humbled vnder all the many tokens of his great anger kindled against <sup>^</sup>. 2. That he will freely pardon all our manyfold prouocations, be reconciled to vs, & heale our land.

Order for a day  
of humilliation  
21 November  
next.

3. That as he was present w<sup>th</sup> the blessed genneration of his pretious ones, the leaders of his people into & in this wilderness, & did heare them when in their distresses, they cryed vnto him, who will still please to dwell in the midst of us, and not forsake us.

4. That he will not take away his holy gospell, and if it be his good will yet to continue our libertjes, civill & ecclesiasticall, to vs, & to our children after us.

5. That a spirrit of conuersion maybe powred out vpon our children, that they may giue vp themselves, & their seed after them, to be the Lords, willingly subjecting themselves to all his holy rules & gouernment in his house.

6. That in our now low estate, in very many respects obvious to all serious spirits whose eyes are open, his tender mercjes may speedily prevent us, this Court, hauing a sence of the necessity of that duty of humilliation, and that they may joyne with the neighbour churches of the seuerall colonjes to poure forth strong & vnanimous cryes vnto God for the obtejnment of his grace and fauour, accordingly trusting in his mercy, that in the things which wee are agreed to aske according to his will, he will graciously heare, & be propitious to his servants, doe accordingly appoint Thirsday, 21<sup>th</sup> of November next, being the day agreed vpon to be solemnly kept as a day of fasting and prayer in all the churches & congregations throughout this jurisdiction, strictly inhibbiting any servile labao<sup>r</sup> by any the inhabitants of this colony.

To the kings most excellent majesty.

The humble petition of & addresse of the Governo<sup>r</sup> & Company of your majestjes colony of the Massachusetts in New England

Humbly sheweth, —

That whereas your said petitioners haue, since your majestjes most happy restawration, vpon their seuerall addresses in the yeares 1661, 62, &c, receiued many signall & gracious returnes of fauour, (confirmation of our charter, pardon of our erro<sup>r</sup>s, assurance of yo<sup>r</sup> royall inclination to promote the trade & happines of this plantation,) proceeding \*only from yo<sup>r</sup> royall goodnes, which hath highly obliged us to all due acknowledgments thereof as wee haue had oppertunity; and wee shall for future at no tyme omitt to mannifest (according to our capacitjes) our hearty and sincere affection to your majestjes service & interest, as in duty wee are bound; and therefore most humbly implore the continuance of those gracious influences whereby your poore subjects here haue binn so much refreshed in their great sufferings & distresses, and that your majesties, according to your innate wisdom & goodnes, will receve no impressions from any that, for their oune euill ends, shall endeavo<sup>r</sup> (by false & mistaken reports) to represent us as affecting & aspiring to a greatnes independent on your majesties soueraignty ouer vs, or incompatable with the duty of good & loyall subjects to a most gracious king, in whose prosperity wee most heartily rejoyce, & for which wee dayly pray.

In humble obedience to your majestjes comānd in 76, wee dispatched our good freinds M<sup>r</sup> Willjam Stoughton & M<sup>r</sup> Peeter Bulkeley to attend your majestjes pleasure concerning the bounds of our patent in refference to M<sup>r</sup> Gorges & M<sup>r</sup> Masons, wherein, as wee haue beene informed, your majestje hath declared your pleasure as to the settlement of the bounds of our patent, & our right of gouernment therein according to our charter, which is matter of great sattisfaction to all your good subjects heere, it being their vtmost ambition to enjoy, vnder your royall protection and allegiance, the knoune & declared ends of the first vndertakers, which hath hitherto binn carried on at their oune charge, both formerly & lately defended by a greater expence of bloud & treasure then will easily be beleiued, whereof they cannot but desire to reape the fruites, which they assure themselues they may w<sup>th</sup>out any diminution of yo<sup>r</sup> majesties greatnes, dominion, or glory, which, with yo<sup>r</sup> majesties pardon, wee are bold to affirme, will not be aduanced by any innouation or alteration of our present setlement.

Wee humbly supplicate your majestje that our messengers, hauing dispatched the buisnes betrusted w<sup>th</sup> them by us, & comānded to attend by yo<sup>r</sup>

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Courts ad-  
dresse to his  
majestje.

[\*189.]

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maj<sup>tye</sup>, may be at liberty to returne, & not be obliged to make answer to such complajnts as are made by vnquiet spirrits, who seeke not your maj<sup>ties</sup> but their oune advantages & our disrest; and what shallbe incumbent on us wee shall, w<sup>th</sup> all dutyfullnes, attend as becomes good Christians & loyall English subjects, and shall glory in giving yo<sup>r</sup> majestje all just sattisfaction, not insisting on any erata that may haue slipped vs in forty eight yeares, especially in our infancy or in the times of the late confusions, for which (as we haue had) wee againe most humbly implore your majestjes gratious pardon, which will further obleige us for the future to be most observant of your royall pleasure as to your establishment of us according to the charter granted by yo<sup>r</sup> royall father, & confirmed by your royall selfe vpon seuerall occasions. Lett your majesty be pleased to accept from our messengers abouesajd an account of our ready obedience to your majestjes comānd for taking the oath of allegiance in the forme prescribed, and our repealling that lawe referring to the oath, so ill resented by yo<sup>r</sup> majestje, w<sup>th</sup> some orders \*Mr Attorney & Mr Sollicitor excepted against, as our messengers haue intimated. Wee might recount the particculars, & present our further desires; but, fearing wee haue binn too tedious to detejne yo<sup>r</sup> maj<sup>tye</sup> from yo<sup>r</sup> more important affaires, and not being in a present capacitje to manifest our grattitude by a suiteable acknouledgment of yo<sup>r</sup> constant goodnes, by reason of the great desolations, great charges & debts contracted, & yet remayning vpon us, by the late insurrections & outrages of the Indians, wee prostrate at yo<sup>r</sup> majesties ffeet, and humbly begg the acceptance of the loyall hearts ^

Your maj<sup>ties</sup> most humble subjects & suplicants,

The Gou<sup>r</sup> & Company of y<sup>e</sup> Massachusetts colony in N: England.

To Mr Solicitors objections as to what is defective in our lawes answered.

The Gennerall Courts answer to sundry things objected against us and our lawes by the honno<sup>r</sup>ble the lords of the council for trade & plantation, Mr Sollicitor & Mr Attorney Gennerall.

Those deffects are supplied by lawes made against high treason, and the oath of allegiance sent by his maj<sup>tye</sup> was cheerefully taken by the Court, and the Courts order gone forth for all his maj<sup>ties</sup> subjects to take the same, on pœnalty.

To obj. 1. Where in our laues wee vse the word comōn-wealth, it is neither in contempt of or opposition to royall authority, and hath not of late bin vsed, nor hereafter shallbe.

To object 2. Ans<sup>r</sup>. The Quakers, at their first coming hither, carried themselves so insolently and contemptuously against authority, rayling at and reuiling the Gou<sup>r</sup>, magistrat<sup>e</sup>, & ministers, denouncing fearefull curses in the name of the Lord, and w<sup>th</sup>all ^, & publickely disseminating and in-

sinuating their damnable opinions & hæthodoxies, to the great endaingering the true Christian religion, & raysing a diuision amongst your maj<sup>ties</sup> good subjects, after the trjall of seuerall other milder meanes vsed, w<sup>ch</sup> prooved ineffectuall to restreine their pressing in amongst us, this Court was forced, for the preservation of the peace & welfare of this your maj<sup>ties</sup> colony, to make a law for banishment, on paine of death, for all such contemptuous and obstinate intruders, which lawe they presumptuously and willingly transgressed, vpon which some of them suffered death; yet, so that till the very last it was offered them, that if they would quietly depart the jurisdiction, and promise not to returne againe, they should be dismissed, which they refused; nor can it be affirmed w<sup>th</sup> trueth that they were put to death for religion, no more then it can be affirmed w<sup>th</sup> trueth that the Jessuites and seminary preists put to death in the time of Queene Elisabeth & King James, of blessed memory, was for religion, who wee know suffered death justly for their breach and contempt of his maj<sup>ties</sup> lawes.

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To obj. 3.

To obj. 4. Ans<sup>r</sup>. Our law doth not absolutely binde to two or three witnesses. Compare our lawes, title Wittnesses, and our law, title Capitall, page 14, sec<sup>t</sup> 17.

To M<sup>r</sup> Attorney Geñlls objections.

\*To objecti 1<sup>st</sup>. Ans<sup>r</sup>. So are many offences by the lawes of our nation, as those about treason, burglary, and theft, &c; and as to what is objected against persons condemned, making wills, &c, wee conceive it to be according to our patent; and if its originall, viz<sup>t</sup>, that of East Greenwich, according vnto which, as wee conceive, notw<sup>th</sup>standing the fathers crime, yet the children are to possesse the estate. [\*191.]

To objecti 2<sup>d</sup>. Ans<sup>r</sup>. Wee finde it worthy further consideration and amendment.

To obj. 3. Ans<sup>r</sup>. Not repugnant, though it admitts of degrees, and it issues in death.

To obj. 4. The same w<sup>th</sup> M<sup>r</sup> Solicito<sup>r</sup>s first object<sup>t</sup>, and there answered.

To obj. 5. Ans<sup>r</sup>. Wee vnderstand it no otherwise but as vnder his maj<sup>ties</sup>.

To obj. 6. Ans<sup>r</sup>. Answered in M<sup>r</sup> Solicito<sup>r</sup> second objection.

To obj. 7. Ans<sup>r</sup>. Not repugnant, but according to the lawes of England; 1 Car: Regis, caput 1; 3 Ca<sup>r</sup>, 4 cap<sup>t</sup>.

To obj. 8.

To obj. 9. This is answered in M<sup>r</sup> Solicito<sup>r</sup>s 1<sup>st</sup> objecti.

To obj. 10. The oath of allegiance now sent ouer by his majesty being



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taken by all his maj<sup>ties</sup> loyall subjects, our oathes to publicke officers are the same for substance w<sup>th</sup> the oathes of the publicke officers of other corporations.

To obj. 11. Ans. This is answered in the former.

To obj. 12, 13. Ans. The Court well approoves your ans<sup>r</sup> in that matter, w<sup>th</sup> this addition, that, beside other reasons, wee were necessitated to prevent cousenage, by reason of considerable sum<sup>s</sup> of counterfeite Spanish money brought in amongst us.

To the objections of the lords of the com<sup>it</sup>tee about abetting the murtherers,  
&c.

To obj<sup>e</sup> 2. The Court adds to what yow answered therein, viz<sup>t</sup>, M<sup>r</sup> Thō Kirke, related to S<sup>r</sup> David Kirke, and M<sup>r</sup> Thomas Kellond, yet liuing, will testify the same; nor were Whaley and Goffe knoune here to vs to be such offenders till his maj<sup>ties</sup> proclamation came ouer; nor doe wee know, nor could be informed, that they were in any part of this colony after the sajd proclamation came ouer, and therefore doe humbly beseech his maj<sup>ty</sup> and the honorable privy council to give full credence to what is here asserted by his maj<sup>ties</sup> dutifull subjects; and that there was no neglect, much less contempt, of his majesties com<sup>and</sup> in this matter.

[\*192.]

To object<sup>i</sup> 5. \*Your answer in that matter also being approved by the Court, they add further, viz<sup>t</sup>, Wee doe affirme and assure his maj<sup>ty</sup> and your lordships, that there was no violence or hostilitie vsed in the resettlement of New Hampshire or the Prouince of Majne after the departure of his maj<sup>ties</sup> com<sup>ission</sup>'s, nor any neede thereof, it being donne at the desire & with the consent of the inhabitants there.

To obj. 7. Your answer also therein being approoued, the Court adds, viz<sup>t</sup>, That for the acts passed in Parl<sup>j</sup>ament for incouraging trade and nauigation, wee humbly conceive, according to the vsuall sayings of the learned in the lawe, that the lawes of England are bounded w<sup>th</sup>in the fower seas, and doe not reach America. The subjects of his maj<sup>ty</sup> here being not represented in Parl<sup>j</sup>ament, so wee haue not looked at ourselues to be impeded in our trade by them, nor yett wee abated in our relative allegiance to his maj<sup>ty</sup>. However, so soone as wee vnderstood his maj<sup>ties</sup> pleasure, that those acts should be obserued by his maj<sup>ties</sup> subjects of the Massachusets, which could not be w<sup>th</sup>out invading the liberties and propperties of the subject, vntill the Generall Court made prouission therein by a law, which they did in October, 1677, and shall be strictly attended from time to time, although the same be a discouragement to trade, and a great damage to his maj<sup>ties</sup> plantation, vntill wee shall obteyne his majesties gracious favour for that liberty of trade, w<sup>ch</sup> wee are not

w<sup>th</sup>out hopes but that his maj<sup>ties</sup> will see just occasion to grant to us, for the encouraging of his good subjects in a wilderness & hard country, who, by Gods special blessing vpon their industry, haue promoted the worke of nauigation, by building ships, raysing seamen, and nauigating them from country to country; and wee doubt not but it will appeare, vpon enquiry, that this restreint vpon us will be an abstraction of his maj<sup>ties</sup> customes in England, and not an enlargement thereof, for that the endeavour of the merchant here is to haue his bancke in England; nor doe wee beleive that euer it can be demonstrated, that that liberty hath binn a losse to his maj<sup>ties</sup> customes, especially of late yeares, for that for whateuer goods from any of his maj<sup>ties</sup> plantations wee pay his customes before wee haue them; and hauing paid the duties, it seemes hard that wee may not haue liberty w<sup>th</sup> our fellow subjects in England. Wee speake not thus to capitulate with his majesty, but humbly submit the same to his royall clemency & grace.

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\*To object 7. About customes, &c, wee say, that imposition vpon goods imported from England is not properly any custome, but a rate vpon such an estate, as a penny on the pound, when it comes into the merchants hands, as all other inhabitants pay for their catle and other their estate that they haue.

[\*193.]

About customes, &amp;c.

To object 8. As for the lawes accounted repugnant to the lawes of England, wee say, that they were not deemed so to be in the dayes of their making by those that made them, but only some of them diuers from them; wee are vpon examination of those objected against, and such as shall so appeare, wee shall repeale w<sup>th</sup> all convenient speed, and shall endeavor for the future that none such be enacted w<sup>th</sup>out his majesties express & particullar licence, except such as the repealling whereof will make us to renounce the professed cause of our first coming hither.

Abou[t] lawes repugnant, &amp;c.

As to any other objections in that of the lords of the comitte, &c, the Court doth acquiesce in yo<sup>r</sup> answers.

Boston, 10 8, 78.

Gent<sup>n</sup>, & our euer honnord freinds: —

Your joynt letters, dat<sup>d</sup> March 15<sup>th</sup>, July 26, & August 15<sup>th</sup>, 1678, came safe to our hands, & haue binn presented & read in the Gennerall Court. The great kindness of God in the preseruation of your healths & liberty to attend the service of the country wee cannot but thankfully acknowledge, & yo<sup>r</sup> oune indefatigable endeauours, w<sup>th</sup> so great intensenes of minde, in that great service, doth highly oblige us in grattitude to yorselues, whateuer the issue may finally be, duty being only our part, & the successe thereof his to whom it well becometh all knees to bow. Obstructions & difficultjes in a worke of

Courts letter to o<sup>r</sup> agents in Engl<sup>d</sup>.

1678.

2 October.

this nature neither yow nor wee ought to marvell at. Blessed be God that hath hitherto appeared dissappoynting the hopes & exultations of our adversaries, & giving us favour in the eyes of the kings maj'ty & his most honorable council. According to the intimation given in yours, wee haue draune vp an addresse to be presented to his maj'ty. Our apprehensions as to other particulars yow mention in yours yow will finde heere inclosed. In gennerall, then, wee may say that establishment which wee haue heere enjoyed for neere fiftie yeares, wee cannot but judge that it would be very great ingratitude to God, & to his maj<sup>ty</sup>, should wee deale slightly in securing the same, the interest of God & his maj<sup>ty</sup> being farr more concerned therein then ourselues can possibly be, personally considered, and they are not to be accounted freinds to either that shall seeke to vndermine or weaken the same; for, as our grouing vp to such an orderly settlement hath binn the genuine offspring of his majestys charter, granted us vnder the great scale of England, so also the Lord hath binn pleased gratusly to oune his people here that haue adventured their liues & estates into this howling wilderness in the pursuance thereof. And it is well knoune that our planting here haue not only secured these plantations from the French and Dutch, \*that would otheruise haue swallowed vp the same, and w<sup>th</sup> whome at first wee mett w<sup>th</sup> some contests, but also, by our nauigation and trade, his maj<sup>ties</sup> exchequer haue binn (at least) some litle advance, & was neuer in the least diminished on our account. Some mariners and merchants heere doe affirme that they apphend that the customes paid in England by the shipping that come from New England is not lesse then twenty thousand pounds p annū. But that which is farr more considerable then all these is the interest of the Lord Jesus, & of his churches scittuated in this wilderness, w<sup>ch</sup> ought to be farr dearer to us then our liues; and his majesties charter being, vnder God, our only security against the malice of our adversaries in these respect, any litle breach in the wall would endanger the whole, and therefore, as his maj<sup>ty</sup> hath binn pleased, by his gratus letters sent vnto us againe & againe, to confirme the same, wee would not that, by any concessions of ours, or of yo<sup>r</sup>s in our behalfe, that any the least stone should be put out of the wall; and wee are not without hope that, in the issue, his maj<sup>ties</sup> favour will be as the north winde for the scattering of those clouds that doe seeme at present to threaten the losse of our future tranquillity.

Wee very well approved your declaration of our readiness to amend any thing of which, through ignorance or neglect in any kinde, wee haue transgressed the rules given us by his maj<sup>ty</sup> in our charter, and to begg his pardon for the same.

As for that particular of our coyning money w<sup>th</sup> our oune impress, his



maj<sup>ty</sup>, of his gracious clemency towards us, hatn not binn pleased as yet to declare his pleasure therein; and wee haue confidence that, when he shall truely be informed of the symplicity of our actings, the publicke joy thereof to his subjects here, and the great damage that the stoppage thereof will inevitably be to our necessary comerce, and abatement of his maj<sup>ties</sup> customes, yearely acruing by our merchants & navigation, & is paid at London, his maj<sup>tye</sup> will not account those to be freinds to his crowne that shall seeke to interrupt us therein; and for the impress put vpon it, wee shall take it as his maj<sup>ties</sup> signall ouning vs, if he will please to order such an impresse as shall be to him most acceptable.

1678.

7 October.

Your bargain & obligation given for yo<sup>r</sup> purchas of the Prouince of Mayne this Court doth accept, and shall take care that the money be accordingly paid; and wee desire that yow will vse yo<sup>r</sup> vttermost endeavo<sup>r</sup> for the settlement of the fower intervening tounes.

Our sence of the particulars intimated in yo<sup>rs</sup> we dare not presume to give as our answer, his maj<sup>tye</sup> not hauing as yet declared his pleasure therein, nor demanded of vs our answer thereto; only as yow haue oppertunity yow may make vse thereof.

\*His majesties order, passed for expediting what is yet depending in order for your dispatch, doth giue us ground confidently to expect your returne vnto us early in the spring, and therefore wee shall forbear to mention what otherwise we haue binn meet w<sup>th</sup> respect thereto; nor will it be necessary that wee should give yow any further instru<sup>ctions</sup> or take care for your further supplies of money, saue only for dischardge of arrears past, and what will be accomodable for yo<sup>r</sup> returne home; and in very trueth the whole country is now so greatly impouerished by our late trouble w<sup>th</sup> the Indians, sicknesses, & mortallity, &c, that wee are not able to procure any more money to be sent ouer to yow, our treasury being not only empty, but many thousands of pounds indebted to merchants here and in England that haue lent us money for our supply.

[\*195.]

In observance of his majesties expresse w<sup>th</sup> refference to the oath of allegiance, on sight thereof the Gouverno<sup>r</sup> & council tooke the same, and on the meeting of the Gennerall Court, the Deputjes also tooke it *it*, no man in the least dissenting, and haue passed an order for the taking thereof by all the inhabitants of the collony.

The kings armes also the Court haue ordered to be forthwith carved by an able artist, & erected in the court house.

[The remainder of page \*195, and a portion of page \*196, are blank.]

\*It being concluded by the comissioners at their sitting at Hartford, that

[\*196.]



1678. a committee of the seuerall colonjes mēt at Plymouth March next to assist in the sale of the conquest lands, the Court judgeth it meete to appoint and order Cap<sup>t</sup> Daniel Fisher, M<sup>r</sup> Thomas Weld, & Leif<sup>t</sup> Jn<sup>o</sup> Holbrooke to attend the same, whom the Go<sup>v</sup>no<sup>r</sup> may formally commissionate & impower, in the name of the Gennerall Court, for the mannagement of that affayre.

7 October.  
Committee for  
sale of con-  
quest land.

In ans<sup>r</sup> to the peti<sup>c</sup>ōn of Roger Clap, cap<sup>tn</sup> of the Castle, the Court judgeth it meet to grant that the one halfe of his & his mens wages be assigned to him by the Treasurer, to be paid in money or as money.

Divi<sup>c</sup>ōn of Sa-  
lem sould<sup>rs</sup>.

There being an order lately made for taking of Salem ffarmers from trayning at Salem, and the setting them as a foote company, for the ordering of the ffoote companyes remayning in Salem, this Court doeth declare, that the said companyes, as to their distribution, be and remajne as they were before the said ffarmers were made a company; and also, this Court doeth order and appoint, that Ensigne Bartholmew Gidney be leiften<sup>nt</sup> to Cap<sup>t</sup> Jn<sup>o</sup> Coruin, and that John Pickering be ensigne in his roome.

Barthol. Gid-  
ney left to Cap<sup>t</sup>  
Jn<sup>o</sup> Corwin,  
Jn<sup>o</sup> Pickering  
ensigne.  
Salem m lita-  
ry comp.<sup>y</sup>.

As an addition to the order for the setting the two companyes in Salem, it is hereby ordered, that fucty seamen & fishermen that liue in lower part of the toune, below the meeting house belonging to Cap<sup>t</sup> Price, shall be added to Cap<sup>t</sup> John Corwin company, & be henceforth vnder his comānd.

Ans<sup>r</sup> to M<sup>r</sup>  
James Allens  
peti<sup>c</sup>ōn as to  
Nurses farme  
bounds.

In answer to the peti<sup>c</sup>ōn of M<sup>r</sup> James Allen, it is ordered, that M<sup>r</sup> Edmund Batter, Cap<sup>t</sup> Jn<sup>o</sup> Whiple, Cap<sup>t</sup> Jonathan Poole, Left<sup>t</sup> Johnson, of Wooborne, & M<sup>r</sup> Olliuer Purchis be a committee to vejw & state the bounds of Francis Nurses farme, and settle the difference betweene the sd farme and M<sup>r</sup> Endecotts, or any others adjoyning, the petitioner giving in caution for the charge thereof, M<sup>r</sup> Batter to appoint time & place of meeting, making returne of what is donne therein.

Ans<sup>r</sup> to Nath.  
Homes peti-  
cōn.

In ans<sup>r</sup> to the peti<sup>c</sup>ōn of Nathaniel Homes, the Court judgeth it meet to grant the peti<sup>c</sup>ōn, i. e., that the relict of John Homes, now the wife of Obediah Homes, be impowred to make deeds of sale of hir p<sup>te</sup> in that estate.

[\*197.]

Ans<sup>r</sup> to M<sup>rs</sup>  
Hannifords pe-  
ti<sup>c</sup>ōn.

\*In answer to the peti<sup>c</sup>ōn of Abigaile Hanniford, & on consideration of the papers she presented to this Court, it is ordered, that it be referred to the County Court of Suffolke to permitt & empower the peti<sup>c</sup>ōner for the sale of the house & lands mentioned, or what part of the estate they shall see meet, for the payment of the proportion of estate due to Dells children, & other necessitjes of the widdow to be disposed of according to the discretion of the said County Court.

Ans<sup>r</sup> to W<sup>m</sup>  
Towers peti<sup>c</sup>ōn.

In ans<sup>r</sup> to the peti<sup>c</sup>ōn of Willjam Towers, the Court judgeth it meet to referr the peti<sup>c</sup>ōner for issue of this case to a course of law in our Courts of judicature.

In answer to the petition of Mary Crawfoot, late wife & relict of Joseph Crawfoot, of Springfield, humbly desiring that shee may be enabled to make & receive firme deeds of sale in way of exchange w<sup>th</sup> Major Jn<sup>o</sup> Pinchon & Henry Chapin, both bargained & sold by hir late husband, as aboue, for lands of them, the Court grants hir request, & enables hir accordingly.

1678.

7 October.

Ans<sup>r</sup> to Mary Crawfoot petition.

Mr Humphry Davy is appointed capitaine to that company whereof Cap<sup>t</sup> Tho<sup>s</sup> Clarke, deceased, was late capitaine of.

Mr Davy capitaine.

It is ordered, that Samuel Gardiner, Ju<sup>n</sup>, of Salem, officiate as ensigne to Cap<sup>t</sup> Price his company till the Court take further order.

Samuel Gardiner ensigne to Cap<sup>t</sup> Price his company.

In answer to the motion of Edward Rice, of Marlborow, being imprest to goe w<sup>th</sup> the warrants to Springfield & those parts, hauing binn out sixe dayes, himself & horse, & made returne for y<sup>e</sup> electing of a Deputy Go<sup>v</sup>, &c, the Court judgeth it meete that the Tresurer pay him forty shillings out of Marlborow rate, or thirty shilling in or as mony.

Edw<sup>d</sup> Rice 4<sup>th</sup> or 30<sup>th</sup>, &c.

In answer to the petition of Jn<sup>o</sup> Clary, Se<sup>n</sup>, father to Jn<sup>o</sup> Clary, Ju<sup>n</sup>, & his attorney, it is ordered, that the com<sup>it</sup>tee of militia of Water Toune sattisfy & pay him for his sonns horse, three pounds, according to law; and also that the country Tresurer pay him twenty shillings for improoving of him in the countrys service.

Ans<sup>r</sup> to John Clarys petition.

In the case now depending betweene Hudson Leueret & Sampson Shoare, pl<sup>ffs</sup>, by petition, against Phillip Bullis, deffendant, in an action trjed at the Court of Assistants in March last, touching a house & land, as in the judgment of that Court doth more fully appeare, the Court, on a full hearing of the case, and all evidences therein, together w<sup>th</sup> the allegations of both partjes, doe finde, viz<sup>t</sup>, the confirmation of the judgment of the Court of Assistants in the case, & costs of Courts, & for hearing of the case five pounds, w<sup>ch</sup> five pounds was remitted by the whole Court.

Courts judgm<sup>t</sup> in y<sup>e</sup> case of Hudson Leueret, Sampson Shoare, pl<sup>ts</sup>, ag<sup>t</sup> Phillip Bullis.

\*In the case now in Court, touching Hugh March, & Dorcas, his wife, the Court, vpon what they haue heard alleadged by them both in the case, and duely considered thereof, doe judge that the sajd March ought to take the sajd Dorcas, & reteyne hir as a wife, and to observe & fullfill the marriage couenant according to his engagement.

[\*198.]

Courts judgment in Hugh March &amp; his wifes case.

The Courts of Essex, wanting a supply of magistrates for their County Courts, this Court doeth order, that Mr John Woodbridge, of Newbury, & Mr W<sup>m</sup> Broune, Se<sup>n</sup>, of Salem, be associates of the Courts for the remainder of this yeare, & sitt & assist in sajd Courts accordingly. •

Essex associates, Mr Broune, &amp;c.

Mr Francis Hooke, Cap<sup>t</sup> Frost, & Leiften<sup>nt</sup> Alcock are com<sup>is</sup>sionated w<sup>th</sup> magistratticall power in the county of Yorkshire, seuerally, to punish

Kittery associates, Mr Hooke, &amp;c.

1678. criminall offenders, joyning of persons in marriage, taking of oathes, & ending smale cases, as any one magistrate may doe.

7 October.

Ans<sup>r</sup> to Jn<sup>o</sup>

Blajno petiçon.

In ans<sup>r</sup> to the petition of Jn<sup>o</sup> Blano, it is ordered, that Captāx Bratle, Cap<sup>t</sup> Wayte, & Leiftenñt W<sup>m</sup> Johnson make dilligent enquiry into the ground of his complaint, & make returne of what they finde therein to the next Court of Ellection, and that then all partjes concerned are to attend the issue.

Ans<sup>r</sup> to Edw<sup>d</sup>

Wests petiçon.

In ans<sup>r</sup> to the petiçon of Edward West, of & for Sherborne inhabitants, the Court judgeth it meet to grant the petiçoners freedome from one single rate in a yeare during the terme of three yeares now next coming, provided they be suppljed w<sup>th</sup> an able minister there.

Time for cases  
to be heard.

It is ordered, that all cases appointed to be heard at this Court be respitted till the sixteenth instant, at nine of the clocke, at w<sup>ch</sup> time all persons concerned in particullar, or toune cases, are to take notice hereof, and to attend their concernes.

Ans<sup>r</sup> to Rich<sup>d</sup>

Russ petiçon.

In ans<sup>r</sup> to the petition of Richard Russ, of Weymouth, a wounded souldjer, humbly desiring this Courts favour as to grant & order that he be repayed the sume of forty shillings, which he payd for his cure, the Court judgeth it meet to grant his request, & orders the Tresurer to pay him forty shillings in or as money out of Weymouth rate.

Mr Tho. Layton  
impowred to  
marry, &c.

Tho. Wights  
remitted.

Mr Thomas Layton, of Lyn, is impowred to joyne such persons in marriage as doe live, one or both, in that toune, being legally published.

In ans<sup>r</sup> to the petition of Thō Wight, of Meadfeild, the Court judgeth it meet to grant his request, (being reduc<sup>t</sup> to great necessity by y<sup>e</sup> Indian ennemy,) j. c., abatem<sup>t</sup> of his rates, amounting to three or fouer pounds.

[\*199.]

Ans<sup>r</sup> to Cap<sup>t</sup>  
Hinchmans  
petiçon.

\*In answer to the petition of Cap<sup>t</sup> Thomas Hinchman, the Court judgeth it meete to order, that the petiçoner be sattisfied his accompt of disbursments, amounting to eighty three pounds tenn shillings, in land, and that Cap<sup>t</sup> Bradstreet, Leff Danforth, & M<sup>r</sup> John Flynt are hereby ordered & appointed as a comittee to consider of a convenient place in some Indian land neere adjacent, and also how much land may sattisfy such a debt, and that they make returne thereof to the next Court of Election.

Mr W<sup>m</sup> Broune  
Jun. cap<sup>t</sup> of a  
troope of horse,  
Jn<sup>o</sup> Putman his  
leiften<sup>nt</sup>.

In ans<sup>r</sup> to the petition of seuerall inhabitants of Salem, presented to the Court by Majo<sup>r</sup> Gennerall Dennison, the Court, on pervaill thereof, judge meet to appoint M<sup>r</sup> W<sup>m</sup> Broune, Juñ, to be captaine to the troop of horse in Salem, & John Putman to be his leiftenñt, & order the same to be a distinct troop of horse, as formerly.

Daniel Pearse  
cap<sup>t</sup>.

And that Daniel Pearse be captaine to the ffoote company in Newbery.



It is ordered, that Ensigne John Cutler be, and heereby is, appointed 1678.  
leiftenñt to the millitary company of Charls Toune.

In ans<sup>r</sup> to the petiçõn of Caleb Seavor, if it be so y<sup>t</sup> Sarah Wilson, widow, acknowledgeth as exprest in the petiçõn, the Court judgeth it meete to grant the petiçõn, & sajd Sarah Wilson is impowred to give deed of sale of sajd halfe p<sup>t</sup> of land to Caleb Seavor.

It is ordered, that the Tresurer dischargd the bill of M<sup>r</sup> W<sup>m</sup> Kent, given in by him 9<sup>th</sup> instant October, in mony, fower pounds.

Leiftenñt Phillip Smith is appointed leiftenñt to the troope of horse, of Hampshire, vnder the comãd of Major John Pynchon and Joseph Parsons, Señ, to be cornet to the sajd troope, and Ensigne Joseph Kellog leiftenñt for ye foote company in Hadley.

In ans<sup>r</sup> to the petition of Georg Munjoy, humbly desiring what the Court sees meet to allow him for his paines, &c, laying out the easterne bounds, it is ordered, that the Tresurer pay him the sume of fwe pounds out of the rates in the county of Yorke.

In ans<sup>r</sup> to the petition of Rebeccah Hawkins, the Court judgeth it meet to referr the ans<sup>r</sup> of this petiçõn to the next County Court in Boston.

In ans<sup>r</sup> to the petition of Thomas Parkes, in behalfe of his sonne, John Parke, the wounded man, the Courte judgeth it meet to grant the sajd John Parks eight pounds to what already hath bin granted.

In ans<sup>r</sup> to the petition of the selectmen of Milton relating to the charge of Daniel Dyke, a wounded souldier, &c, the Court sees no cause to grant their request in sajd petition.

\*In ans<sup>r</sup> to the petition of James Hudson, & Mary, his wife, declaring to this Covrt that M<sup>r</sup> Brajden & they being agreed in the accõn refferring to ffencing a parcell of land vpon Long Island, provided wee tooke out the papers, w<sup>th</sup> the whole action, refferring to this case, now in Genñll Court, humbly desiring this Courts favour to grant an order to the secretary to giue out to yo<sup>r</sup> petitioners all those papers referring to the sajd action, & the former order of this Court relating therevnto be made null, that so no more trouble may arise therevpon, the Court judgeth it meete to grant this petiçõn.

The Court judgeth it matter of incumbancy to take care for an honno<sup>ble</sup> & decent interment of y<sup>e</sup> late Deputy Gofn<sup>or</sup>, & doe hereby order, that the country Treasurer forthwith deliuer the sum of twenty pounds, in money or such other pay as may be necessary for such an end, to M<sup>r</sup> Daniel Epps, Senio<sup>r</sup>, to be as an addition to what shallbe expended by his relations on that account.

7 October.

Jn<sup>o</sup> Cutler left  
of Charls  
Toune compaz.  
Ans<sup>r</sup> to Caleb  
Seaver petiçõn.4<sup>th</sup> to M<sup>r</sup> W<sup>m</sup>  
Kent.Phillip Smith  
left, Joseph  
Parsons cor-  
net to y<sup>e</sup> troop  
in Hampshire.  
Joseph Kelog  
left.Ans<sup>r</sup> to George  
Mountjoys pe-  
tiçõ.Ans<sup>r</sup> to Rebec-  
kah Hawkins  
petiçõn.Ans<sup>r</sup> to Thom-  
as Parks peti-  
çõn.Ans<sup>r</sup> to Milton  
selectmens pe-  
tiçõn.

[\*200.]

Ans<sup>r</sup> to James  
& Mary Hud-  
sons petition  
as to y<sup>e</sup>ir land  
at Long Island.Dep<sup>t</sup> Gofn<sup>rs</sup>  
Symonds in-  
term<sup>t</sup>.



1678.

October.  
Courts judgment  
in Wenham's  
case, Beverly &  
village, &  
Wenham.

This Court, being sensible of a difference between Wenham & Beuerly and the village, relating to a diuisionall line betweene them, as to a suiteable accomodation in way of proportion betweene each place, doe appointe and impower Cap<sup>t</sup> John Wayte, Leif<sup>t</sup> W<sup>m</sup> Johnson, Cap<sup>t</sup> Jonathan Poole, & M<sup>r</sup> Richard Hubbard to joyne w<sup>th</sup> three others that Salem shall choose, who are hereby required to make choyce of three able men of their oune toune to joyne w<sup>th</sup> the aboue named, as a comitte<sup>e</sup> on the place, and are hereby impowred fully to settle the diuisionall line betweene Wenham, Beuerly, & the village aforesajd, and also to consider and finally to conclude the matter in controuersy betweene Salem & Beuerly, relating to an addition of land out of Salem; and what the major parte of the persons aboue mentioned shall agree vpon shall be a fynall issue of these matters, who are to make returne of what they doe to the next Genn<sup>l</sup> Court. Cap<sup>t</sup> Jn<sup>o</sup> Wayte to appoint time & place. The charges to be borne by Salem, Wenham, & the village, in æquall proportions.

Wenham's dis-  
chargd from  
contribution,  
&c.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Th<sup>o</sup> Fiske & Charles Gott, in behalf of Wenham, the Court grants that the toune of Wenham be dischargd from that subscription as to y<sup>e</sup> colledge, for the reasons therein exprest.

Wenham's cau-  
tion returnd.

The Court judgeth it meete to remitt the charges of this Court to the towne of Wenham, & ordered the money deposited to be returned to them.

Ans<sup>r</sup> to M<sup>rs</sup>  
Rebeckah  
Bulkeley, &c.

In ans<sup>r</sup> to the petition or request of M<sup>rs</sup> Rebecka Bulkeley, the Court judgeth it meet, & the Tresurer is heereby ordered to make full payment to the peti<sup>o</sup>ner of the hundred pounds granted to hir, w<sup>th</sup>out deducting of the two and twenty pounds ten shilling therein mentioned. And, as a further ans<sup>r</sup>, it is ordered, that intimation may be giuen to his majesty that his fauour is craued for the returne of M<sup>r</sup> Bulkley; at least, if his majesty shall not judge it meete to sett both our agents at liberty.

Ans<sup>r</sup> to Whit-  
man & M<sup>r</sup> x  
peti<sup>o</sup>n as to  
Palsgraue Al-  
cocks ex-  
change.

In ans<sup>r</sup> to the petition of Zachariah Whitman, Joshua Lambe, & Jn<sup>o</sup> Alcock, children & heires of the estate of the late M<sup>r</sup> Jn<sup>o</sup> Alcock, phisition, humbly desiring liberty to exchange a parcell of land assigned to their brother, Palsgraue Alcoks, w<sup>th</sup> alike quantity & goodnes from Joseph Dudley, Esq<sup>r</sup>, the Court grants their peti<sup>o</sup>n, & allows them liberty for the said exchange.

[\*201.]

Jackim Reynor  
& Job Lanes  
peti.

\*In answer to the petition of Jackim Reynor, of Rouley, only sonne of y<sup>e</sup> late M<sup>r</sup> John Reynor, Se<sup>n</sup>, of Douer, as also of Job Lane, of Billirrica, in right of his wife, both are refferd to the next Ge<sup>n</sup> Court.

Courts resolute  
inter Cap<sup>t</sup> Olli-  
uer & y<sup>e</sup> toune  
of Lynne.

In the case of Cap<sup>t</sup> James Olliver & the toune of Lynn, resolved by the whole Court, that each person, Cap<sup>t</sup> Olliver, &c, and the toune of Lynn haue

their entry moneys againe out of each Court, or the Tresurers thereof, and that they beare theire oune charges, being at liberty to beginn de novo.

1678.

On pervsall of Goũno<sup>r</sup> S<sup>r</sup> Edmund Andros last letter to the cõmissioners for the Vnited Colonjes, bearing date  $\wedge$ , by the whole Court mett together, it was voted, that the matter conteyned therein be left to our cõmissioners to effect it, and send some meet persons, as Majo<sup>r</sup> Pynchon for one, w<sup>th</sup> meete Indians, as they judge best.

October.  
Courts resolve  
as to Goũnor  
Andros letter.

In ans<sup>r</sup> to the petiçõn of M<sup>r</sup> John Gifford, it is ordered, that the petiçõner haue a hearing of his case at the next Gennerall Court on the fiuth day of the second weekes sitting, and, in the meane time, execution is suspended, prouided that sufficient caution be giuen to respond the Courts judgm<sup>t</sup> in the case, and in so doing the petitioner to be set at large, the secretary to take the security, & give warrant for his release.

Ans<sup>r</sup> to M<sup>r</sup>  
John Giffords  
petiçõn.

In ans<sup>r</sup> to the petition of the remayning inhabitants of Deerefeild, the Court judgeth it meete to referr the petiçõners to the proprieto<sup>r</sup>s for the attayning of their interest, so farr as they shall judge necessary, leauing the matter w<sup>th</sup> the cõmittee to regulat; improovements & charges to be levyed there vpon, as they shall judge legall & meete, for the encouraging the rebuilding of that plantation.

Ans<sup>r</sup> to Deere-  
feild inhabit-  
ants petiçõ.

The Court hauing ordered warrants to issue out to the seuerall ffreemen of y<sup>e</sup> seuerall tounes to send in their proxies or voate for the ellecting of a Deputy Goũno<sup>r</sup>, in y<sup>e</sup> steed & place of the late honno<sup>r</sup>ed Dep<sup>ty</sup> Goũno<sup>r</sup>, together w<sup>th</sup> adition of magistrates, &c, suiteable to our necessary station, this 21 October the seuerall tounes made their returnes, & being opened, it appeared that Symon Bradstreet, Esquire, was chosen Deputy Goũno<sup>r</sup> for this remayning p<sup>t</sup> of y<sup>e</sup> yeare, —

21 October.  
Order sent out  
for choice of a  
Dep<sup>t</sup> Gou. &  
new magis<sup>ts</sup>.  
Symon Brad-  
street, Esq<sup>r</sup>,  
Dep<sup>t</sup> Gou.

And Captaine Nathaniel Saltonstall was chosen an Assistant, & both were published accordingly. It was ordered by the whole Court, that the secretary send for Cap<sup>t</sup> Saltonstall, acquainting him w<sup>th</sup> his chojce, & the Courts desire of his presenc, to take his oath.

Nath. Salton-  
stall, Esq<sup>r</sup>, As-  
sistant.

\*Voted, by the whole Court, that the case relating to M<sup>rs</sup> Winsley & Samuel Davis, & his late wife, is refferred to the next Gennerall Court of Ellection, and all persons concerned to remajne in the same state as they are in now  $\wedge$  refference thereto.

[\*202.]

The wo<sup>r</sup>pp<sup>l</sup> Majo<sup>r</sup> Jn<sup>o</sup> Pinchon tooke y<sup>e</sup> oath of allegiance in open Court; so did the seuerall deputjes now mett in the Gennerall Court.

1679. *\*Att a Gennerall Court for Elections, held at Boston, 28<sup>th</sup> May, 1679.*

28 May.

[\*203.]

SYMON BRADSTREET, Esq<sup>r</sup>, was chosen Gou<sup>r</sup> for the yeare ensuing, & tooke his oath in Court.

Thomas Danforth, Esq<sup>r</sup>, was chosen Dep<sup>t</sup> Gou<sup>r</sup>, & tooke his oath 29 May, 1679, & 1 Com<sup>is</sup>sio<sup>r</sup>.

Daniel Gookin, Esq<sup>r</sup>, was chosen Assistant.

Daniell Dennison, Esq<sup>r</sup>, chosen Majo<sup>r</sup> Gen<sup>l</sup>, & 1<sup>st</sup> Com<sup>is</sup>s in reserve,

W<sup>m</sup> Hawthorn, Esq<sup>r</sup>,

Jn<sup>o</sup> Pynchon, Esq<sup>r</sup>,

Edw<sup>d</sup> Tyng, Esq<sup>r</sup>,

W<sup>m</sup> Stoughton, Esq<sup>r</sup>,

Joseph Dudley, Esq<sup>r</sup>, & 2<sup>d</sup> Com<sup>is</sup>sio<sup>n</sup> for Vnited Colonies,

Peter Bulkley, Esq<sup>r</sup>,

Nathaniel Saltonstall, Esq<sup>r</sup>,

Humphry Davy, Esq<sup>r</sup>, & last Com<sup>is</sup>sio<sup>n</sup> in reserve, Assistants, & tooke y<sup>e</sup> oaths, except M<sup>r</sup> Staughton & M<sup>r</sup> Bulkley, y<sup>e</sup> were absent.

Edward Rawson was chosen Secretary, & tooke his oath.

Cap<sup>t</sup> Jn<sup>o</sup> Hull was chosen Tresurer, & tooke his oath.

The names of the seuerall deputjes chosen & returnd from the seuerall townes to serve at this Gennerall Court were, —

Cap<sup>t</sup> Jn<sup>o</sup> Corwin, Cap<sup>t</sup> Jn<sup>o</sup> Price, for Salem.

Cap<sup>t</sup> Lawrence Hamond, 1 s., M<sup>r</sup> James Russell, for Charls Toune.

M<sup>r</sup> W<sup>m</sup> Sumner, Dorchester.

M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Jn<sup>o</sup> Richards, Boston.

M<sup>r</sup> Edward Morrice, Roxbury.

M<sup>r</sup> Symon Stone, Water Toune.

Cap<sup>t</sup> Rich<sup>d</sup> Walker, Lynn.

M<sup>r</sup> Edward Oakes, Cambridge.

Majo<sup>r</sup> Sam<sup>l</sup> Apleton, Cap<sup>t</sup> Jn<sup>o</sup> Whiple, Ipswich.

M<sup>r</sup> Nicholas Noyse, Newbery, 1 s.

M<sup>r</sup> Samuel White, Weymouth.

Cap<sup>t</sup> Joshua Hubbard, Hingham.

Cap<sup>t</sup> Tho<sup>s</sup> Brattle, Left Jn<sup>o</sup> Flint, Concord.

For Rowley: M<sup>r</sup> Jn<sup>o</sup> Peirson.

Dedham: Cap<sup>t</sup> Daniel Fisher.  
 Wooborn: Left W<sup>m</sup> Johnson.  
 Hampton: M<sup>r</sup> Samuel Dalton.  
 Haverhill: M<sup>r</sup> Henry Palmer, 1 s.  
 Maulden: Cap<sup>t</sup> John Wayte.  
 Beverly: M<sup>r</sup> John Dodge.  
 Kittery: Maj<sup>r</sup> Rich<sup>d</sup> Waldron.  
 Douer: Left Peeter Coffyn, 1 s.  
 Portsmouth: M<sup>r</sup> Rich<sup>d</sup> Martyn.  
 Wenham: M<sup>r</sup> Th<sup>o</sup> Fiske.  
 Yorke: M<sup>r</sup> Edw<sup>d</sup> Rishworth.  
 Northampton: M<sup>r</sup> John King, 1 s.  
 Hadley: M<sup>r</sup> Peeter Tylton, 1 s.  
 Sudbury: M<sup>r</sup> Peeter Noyce, before Rouley.  
 Braintry: M<sup>r</sup> Samuell Tompson, before Woo<sup>b</sup>.

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Maj<sup>r</sup> Rich<sup>d</sup> Waldron was chosen Speaker for y<sup>e</sup> session.

\*Whereas there is an abusive & euil practise taken up in seuerall places of this colony, vpon trayning dayes, more publicke or private, & other publicke conuentions of people vpon ciuill occasions, diuers persons taking liberty to bring into the feild, & other places neere such concourse of people, considerable quantittes of wine, strong liquo<sup>r</sup>s, cider, & other inebriating drinckes, hauing no licence so to doe, whereby many people, both English & Indians, that come to such meetings, aswell as souldjers, comitt many disorders of drunkenness, fighting, neglect of duty, &c, for prevention whereof it is ordered by this Court and the authority thereof, that henceforth no person whatsoever shall presume to bring into the feild and sell by retayle vpon such occasions any wine, strong liquor, cider, or any other inebriating drinckes, excepting beere of a penny a quart, vnless he or they so doing haue license from the hands of two magistrates, or the cheife military officer or officers in the feild, vpon penalty of forfeiting all such strong drincke, and paying a fine of fise pounds, one halfe to the informer, & the other halfe to the county Treasury; and it is further ordered, that the constables of the toune where such meeting is are ordered & required, w<sup>th</sup> a meete company to guard him, shall, by warrant from the cheife officer, seize vpon all strong liquo<sup>r</sup>s, wine, cidar, or other strong drincke, and dispose of the same as the law directs.

[\*204.]

Order phibbit-  
ing retayling  
strong drinckes  
at traynings.

It is ordered by this Court & the authority thereof, for the easement of the country, that the ordinary traynings of foote & horse be reduced to fower

4 trayning  
dayes only, vn-  
less, &c.



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dayes in the yeare, any law, vsage, or custome to the contrary notwithstanding, unless the comission officers of each company in euery toune respectiue shall draw forth & exercise their companyes after the fower days trayning injoynd are expired, one or two dayes more yearly, according as they shall see cause, to w<sup>ch</sup> end they are hereby allowed & impowred.

Order about  
bricke making.

It is ordered by this Court & authority thereof, that clay to make bricks shall be digged before the 1<sup>st</sup> of November, & turned ouer in the moneth of February & March ensuing, a moneth before it is wrought, and that no person temper their bricks w<sup>th</sup> salt water or brackish, and that the size of bricks be nine inches long, two & one quarter inches thicke, & fower & a halfe inches broad, and that all moulds vsed for making bricke be made according to these sizes, & well shod w<sup>th</sup> iron, & what person or persons soeuer shall make bricks in any respect contrary to this order, in the seuerall particulars of it, shall forfeite the one halfe of such bricks to the vse of the treasury of the toune where they are made.

to fishing  
trade.

[\*205.]

It is ordered by this Court & authority thereof, that all fishermen that are ship<sup>t</sup> vpon a winter & spring voyage shall duely attend the same, according to custome or agreement w<sup>th</sup> respect to time; and all fishermen that are ship<sup>t</sup> vpon a fishing voyage for the whole summer shall not presume to breake off from sajd voyage before the last of \*October w<sup>th</sup>out consent of the onor<sup>e</sup>, master, & shoaremen, vpon the penalty of paying all da<sup>m</sup>ages. •

Addition to  
military lawes  
as to penalty  
for absene at  
traynages.

As an addition to the former law, tit<sup>e</sup> Military, it is ordered by this Court & the authority thereof, that euery foote souldjer that is a delinquent on a trayning day shall pay for each dayes delinquency five shillings in money, or tenn shillings p day in good merchantable comoditjes or grajne, as the country rates are payd, to be lewyed by the clarke of each company as the law directs.

Law and booke  
debts repealed.

Vpon complaint of sundry inconveniencies & pjudice arising by the law entituled Debts by Booke, if put in execution, w<sup>ch</sup> law, vpon sundry petitions, hath, from time to time, been suspended, & now againe, by longer experience, found to be very detrimentall, this Court, on consideration hereof & what else is presented, see cause to repeale the same, & by the authority thereof it is hereby repealed to all intents & purposes.

Quest. about a  
tounes power  
resolved.

Whether, if a toune see good to implead any person in a course of law, and make their voate to that end, & choose their attorney, it be not sufficient legall attorneyship & to be allowed in Court, the sajd attorney bringing a record of the sajd order or chojce, signed by the hand of the recorder of the toune, though there be no seale, as in other letters of attorney. •

This question is resolued by the Court on the affirmative.

Whereas complaints are made to this Court that seuerall foot companjes are discouraged & weakned by frequent lusting their best souldjers into troopes, whereby the infantry (reputed the cheife strength of the militia in any country) are like to be very feeble, and this erro<sup>r</sup> arises from the misconstruing of a law directing the lusting of troopers, which saith that no person shall lyst vnless he pay for one hundred pounds estate in a single country rate, & otheruise well qualified; but the practise is different from the law (as is conceived) for constables giving cirtificates that such a person payes in a single country rate eight shillings & fower pence, including therein heads of persons: vpon this cirtificate the captaine of the troope lysts the person certified, & so it is apprehended the law is not attended; for p<sup>r</sup>vention whereof it is ordered, that no constable shall giue cirtificat to any person desiring to list a trooper vnless the sajd person pay, bona fide, in a single country rate, for one hundred pounds estate, w<sup>th</sup>out respect to poll money; and also, no such foote souldier shall lyst in any troope vnless he haue a cirtificate from the mayo<sup>r</sup> of the regiment, vnder his hand, that he is a fitt person, & hath obteyned the consent of the comission officers of the foote company wherevnto he belongs, or the major part of them.

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28 May.  
Order regulat-  
ing the lusting  
of troops.

\*Forasmuch as it hath too often hapned, that, through differences arising in seuerall townes on other pretences, there hath been attempts by some persons to erect new meeting houses, although on pretence of the publick worship of God on the Lords dayes, yet thereby laying a foundation (if not for schisme and seduction to erro<sup>r</sup> & hæresies) for perpetuating diuissions & weakning such places where they dwell in the comfortable support of the ministry orderly settled amongst them, for prevention whereof for the future, it is ordered by this Court and the authority thereof, that no persons whatsoever, w<sup>th</sup>out the consent of the freemen of the toun where they liue first orderly had & obteyned at a publick meeting assembled for that end, and licence of the County Court, or, in defect of such consent & license, by the speciall order of the Gennerall Court, shall erect or make vse of any house as aboue sajd; and in case any person or persons shall be conuicted of transgressing this lawe, euery such house or houses wherein such persons shall so meet more then three times, with the land whereon such house or houses stand, and all private wayes leading thereto, shall be forfeited to the vse of the county, and disposed of by the county Tresurer by sale or demollishing, as the Court that gaue judgment in the case shall order.

[\*206.]

Law as to  
erecting of  
new meeting  
houses w<sup>th</sup>out  
consent of free-  
men of y<sup>e</sup>  
toun, County  
Court, or Gen<sup>l</sup>  
Court, &c.

For the greater comfort & safety of all people who are intended to resettle the villages deserted in the late warr, or the planting any new plantation w<sup>th</sup>in this jurisdiction, it is ordered & enacted by this Court & the authority thereof,

Order directing  
to y<sup>e</sup> settlement  
of frontier  
townes or new  
plantations,  
&c.

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that no deserted toune or new plantation shallbe inhabited vntill the people first make applycation vnto the Gouverno<sup>r</sup> & council, or to the County Courts w<sup>th</sup>in whose jurisdiction such plantation is; and the council or County Court are heereby ordered & impowred to appoint an able & discreet comitte<sup>e</sup> at the charge of the people intending to plant, w<sup>ch</sup> comitte<sup>e</sup> are ordered & impowred to vejw & consider the place or places to be settled, and giue directions and orders in writing, vnder their hands, in what forme, way, & manner such toune shallbe settled and erected, wherein they are required to haue a principall respect to neerenes & conveniency of habitation for security against ennemyes, and more comfort for Xtian comunion, and enjoyment of Gods worship, & education of children in schooles, & civility, w<sup>th</sup> other good ends. And all such planters are heerby enjoyned to attend and put in practise such orders and directions as shallbe given by such comitte<sup>e</sup>, vpon the pœnalty of one hundred pounds fine to the country, to be inflicted vpon them by order of the council or County Courts, for their neglect or refusall to attend this order.

[\*207.]

Law abt customs

\*For the bettering of the income to the country by excise & customes for the future, —

Imp<sup>r</sup> 1. It is ordered, that no licence be granted to any person to keepe ordinary, retajle wine, beere, cidar, perry, mum, ale, brandy, ru<sup>m</sup>e, or any other liquo<sup>r</sup>s, by greater or lesser quantities, w<sup>th</sup>in doores or w<sup>th</sup>out, till bond be given to observe the lawes referring to this matter, nor renewed vntill a noate be produced, vnder the hand of the collector or collecto<sup>r</sup>s, that he is sattisfied his just dues.

2. That one or more mēete persons be added to the collecto<sup>r</sup>s for the well mannging that affajre, as the council shall order.

3. That the collecto<sup>r</sup>s be impowred to appoint meet persons to informe of all such as shall retajle wine or other liquo<sup>r</sup> w<sup>th</sup>out license; and the informer to haue one halfe of the pœnalty for his recompence.

4. That no agreement be made w<sup>th</sup> licensed persons w<sup>th</sup>out the jointt concurance of both the collecto<sup>r</sup>s.

5. That licenses be granted & renewed in the seuerall countyes only in y<sup>e</sup>r spring Courts.

6. That abatement of the impost vpon ru<sup>m</sup>e be made of tenn shillings p hogshead, and that two pence be added by the quart vpon all strong liquo<sup>r</sup>s that is retayled by less quantitjes then tenn gallons at one tyme.

7. That all goods landed, & not entred w<sup>th</sup> the collecto<sup>r</sup>s, shallbe put into a warehouse, & secured by them vntill the owno<sup>r</sup>s appeare & make entry thereof, & pay dutjes, according to law; and if the master of the vessell to

whome freight is due see cause to haue a locke vpon the warehouse for securing the goods & freight aswell as the collecto<sup>rs</sup>, he may.

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8. That a convenient number of wharfes for landing of goods be allowed in all seaport townes, and all others prohibbited, vpon a severe pœnalty, vnless licensed by the collecto<sup>rs</sup>.

9. That the collecto<sup>rs</sup> & all other persons imployed about the customes be vnder oath for a faithfull dischargd of their trust.

10. That all abuses & contempts offered by any person or persons to the collectors, or any imployed by them, either on board any vessells, or ashoare, shall be heard & determined by any one magistrate or cōmissioner, and punished by fine, stocks, imprisonment, or binding ouer to the next County Court, according to the circumstances in the case.

11. That henceforth no more then the law affoord, viz<sup>t</sup>, two shillings p pound, be allowed to the collectors, M<sup>r</sup> John Hubbard being added to y<sup>e</sup> p<sup>s</sup>ent collectors, provided the two persons aboue agree together to proceed; otherwise it is left to the council to make such order & conclusion therein as they judge best conducing to the publick bennefit. This to continue for one yeare.

\* Vpon serious consideration of p<sup>s</sup>ent circumstances relating to military affaires among<sup>s</sup> vs, & how necessary it is that the lawes in those respects be put in due execution, it is ordered, that the major gen<sup>l</sup> doe, w<sup>th</sup> all convenient speede, send out his orders to the major<sup>s</sup> of the regiments, & by them to the cōmittees of militia of the seuerall townes in this jurisdiction, that they doe forthwith inspect the same, & enquire whither there be that prouision of powder & a<sup>m</sup>unition for toun stocks as the law prouides, & make their returne to y<sup>e</sup> major gennerall w<sup>th</sup> all expedition, that townes defective may be proceeded with according to law, & care taken for supply; & that the cōmanders in cheife of each company be likewise ordered & quickned to their duty respecting the prouission of armes & a<sup>m</sup>unition of their souldiers & inhabitants of the townes, as the law requires.

Major gen. to  
send out his  
warr<sup>t</sup>s as to  
arms & am<sup>n</sup>-  
tion, &c.

\*In ans<sup>r</sup> to a motion made by some of the reuerend elders, that there might be a conuening of the elders & messengers of the churches in forme of a synod, for the reuisall of the platforme of discipljne agreed vpon by the churches, 1647, and what else may appeare necessary for the preventing schishmes, hæresies, prophaness, & the establishment of the churches in one faith & order of the gospell, this Court doe approoue of the sajd motion, & order their assembling for the ends aforesajd on the second Wednesday in September next, at Boston; and the secretary is required seasonably to give notice hercof to the seuerall churches.

[\*208.]

Courts ans<sup>r</sup> to  
elders mo<sup>o</sup>on  
for a synod.



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It is further ordered, that the charges of this meeting shall be borne by the churches respectively.

Quæstī 1. What are the euills that haue provoked the Lord to bring his judgments on New England?

2 Quæst. What is to be donn that so those evils may be reformed?

Courts allowance of 100<sup>li</sup> towards y<sup>e</sup> late Gov. Leffets interment.

Vpon a motion made for the allowanc of something considerable out of the country tresury towards the interment of the late honno<sup>r</sup>ble Gofino<sup>r</sup>, Jn<sup>o</sup> Leueret, Esq<sup>r</sup>, the Court judgeth it meet to allow his excecatrix, in ans<sup>r</sup> to that motion, the so<sup>m</sup>e of one hundred pounds, to be paid by the Tresurer of the country in money, as was granted in October Court following. Attested by Mr Jos<sup>s</sup> Dudley.

Know all men by these presents, that we, Old Nequanit, Robin, called Old Robin, Benjamin Wuttanamit, James, called Great James, John Nasquamit, Sarah, the widdow of Peeter Naskonit, in behalfe of hir child, Moses David, next heire to my father, and to my vnckle, Josiah Harding, deceased, w<sup>th</sup>out issue, Assoaske, the widdow of Josiah Nowel, in behalfe of my children, Sarah Conomog, sole excecatrix to my late husband, Oonomog, Elisabeth, the only daughter & heire of Solomon, deceased, James Spcene, in behalfe of my wife, being all of us true proprieto<sup>r</sup>s, possesso<sup>r</sup>s, & improvers of the Indian lands called Whip Suffrage, alias Okonkonomesit, adjoyning to Marlborough, in the colony of Massachusetts in New England, for diuers considerations us therevnto mooving, especially the loue & duty wee owe vnto our honored magistrate, Daniel Gookin, of Cambridge, Esq<sup>r</sup>, who hath been a ruler to us aboue twenty yeares, doe hereby freely and absolutely giue, grant, & confirme vnto him, the sajd Daniel Gookin, Esq<sup>r</sup>, & his heires, for euer, one parcell of land, heretofore broken vp & being planted by vs and our predecesso<sup>r</sup>s, called by the name of Okonkonomesit Hill, scittuate, lying, & being & on the south end of our touneship and plantation neare Marlborough, conteyning about one hundred acres, more or lesse, bounded on the east, south, & west w<sup>th</sup> lands & high wayes belonging to the English of Marlborough, and on the north w<sup>th</sup> lands belonging to our touneship or plantation, & highwayes betweene the sajd hill & our other lands, together with twenty acres of meadow land lying w<sup>th</sup>in our touneship, tenn \*acres whereof (which he shall choose) ljethe in a meadow called Fort Meadow, and the other tenn acres in a meadow called Long Meadow, (which he shall choose,) to be measured & set out to him and his heires by an able surveyo<sup>r</sup>. Moreouer, wee freely giue to him & his heires, for euer, free liberty of com<sup>o</sup>nage for wood, timber, feeding of his catle vpon any com<sup>o</sup>n lands w<sup>th</sup>in our touneship or plantation, to haue & to hould, occupy, possesse, & enjoy

[\*209.]

all the fore mentioned lands, meadoues, & priuiledges, & appurtenances therevnto in any wise belonging & apperteyning, viz<sup>t</sup>, all planting lands, wood lands, stones, springes, water course, aple trees, or other fruit trees thereon planted, or any other matter or thing aboue mentioned therevnto belonging, w<sup>th</sup> free egresse & regresse to & from the same, to him, the sajd Daniel Gookin, Esq<sup>r</sup>, & his heires, foreuermore. And further, that wee haue due right & priuiledge in lawe to giue & grant the forementioned premisses, not only as it is our naturall right & possession according to Gods word and the lawes of y<sup>e</sup> land, but as it is confirmed to us by grant from the Gennerall Court of Massachusets in New England; and wee doe hereby further warrantize this our deede of guift to be good & valid in lawe from us, or any of our heires, execcuto<sup>r</sup>s, or assignes, for euer, or from any person clayming any right, title, or interest from or by any other person clayming right from, by, or vnder us, or any of our heires, for euermore; and the fore recited lands & appurtenances are to be held, injoyed, & possessed by him, the sajd Daniel Gookin, & his heires, for euer, from and after the date hereof, w<sup>th</sup>out any molestation, disturbance, denjall, or ejection of us, or any of us, or any of our heires or assignes, for euermore. In witnes of the trueth hereof wee haue herevnto set our hands & seales, the second day of May, 1677.

1679.

28 May.

Signed, sealed, & deliued  
in presence of us,  
John Eliot,  
Noah Wiswall,  
Joshua **qr** Woods,  
Waban, **x** his marke,  
Piambow, **v** his marke,  
Joseph Wheeler.

BENJAMIN **B** WITTANAMIT, & seale,  
-ELISABETH <sup>hir m<sup>r</sup>k</sup> **SOLOMON**, & a seale,  
ASSOASK **u**, she for hir child, hir  
husband consenting, & a seale,  
Signum **CO** MARY DAVID, in behalfe  
of hir sonne Moses, & a seale,  
Signum JOHN **A** NASKONIT, & a seale,  
Sigum SARAH **O** NAASKOMIT,  
& a seale,

<sup>his m<sup>r</sup>k</sup>,  
NAUSQUANIT, **~** & a seale,  
Signed OLD **h** ROBIN, & a seale,  
NEMAPANET,  
GREAT JAMES, alias **Σ**,  
METANANAMIT, & a seale,  
JAME SPEENE, & a seale.

Endors<sup>d</sup>.

Benjamin Tawattanamit, Great James, alias Wittanawanit, 12 (9,) 77, Old  
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1679. Robin, aljas Nemapanit, James Speene, Asoaas, Elisabet Solomon, & Sarah Naskamit, 21 (9,) 77, Mary David, & Ju<sup>o</sup> Naskonit doe freely acknouledge this instrument to be their act & deed, they well & truely vnderstanding the contents therof.

28 May.

Before mee, THOMAS DANFORTH, Assistant.

Entred & recorded in the register at Cambridge, lib. 6, page 165, 6, 7, 12: 11<sup>th</sup>, 1677,

By THOMAS DANFORTH, R.

[\*210.] \*The deed of guift & grant on the other side being signed, sealed, acknowledged, & recorded in the county of Midlesex, made from the Indians, late inhabitants & proprietors of the Indian plantation, called Whip Sufferage, aljas Konkonomesit, neare Marlborough, in the county aforesajd, in the colony of Massachusetts, in the county aforesajd, in New England, vnto Daniel Gookin, of Cambridge, in the county aforesajd, Esq<sup>r</sup>, and to his heires for euer, is confirmed by the authority of this Court, together with all the appurtenances & priuiledges therein expressed, vnto the sajd Daniel Gookin, his heires, executors, and assignes, for euer.

Indians deed of  
guift to Major  
Gookin con-  
firmed.

By the Court. EDW<sup>d</sup> RAWSON, Secret.

Mr Stoughton  
& Mr Bulkley  
our hono<sup>d</sup>  
messengers al-  
lowanc of 60<sup>th</sup>  
a peece in  
money.  
Ans<sup>r</sup> to M<sup>rs</sup>  
Reynors peti-  
con.

This Court, considering the great sufferings of our messengers, by their long stay in England, judg meet to allow them sixty pounds apeece, to be pd them in mony by the Tresurer, tow<sup>rds</sup> the supply of their families in their absence.

In ans<sup>r</sup> to the peti<sup>con</sup> of M<sup>rs</sup> Francis Reynor, the Court judgeth it meete to grant hir peti<sup>con</sup> in the seuerall parts thereof, provided that the sale of lands doe not infringe the just right of any heir or other to whom they may be entayled; and doe further order, that the select men of Douer doe take effectuall care to settle the accompts betweene the inhabitants of sajd toune and M<sup>rs</sup> Reynor, administratrix to the estate of the deceased M<sup>r</sup> John Reynor, relating to his sallery, and the payment of such arreares as are yet vnpayd, & that this be donn at or before the last day of September next.

Order for pur-  
chasing 50 or  
60 barrells of  
powder.

The Court, being informed of a present oppertunity to furnish & supply the country stocke w<sup>th</sup> powder, judge it meet to order, that the Tresurer of the country provide full & meet satisfaction for fiuety or sixty barrells of good powder, to be presently bought by the survejo<sup>r</sup> gennerall, & preserved for the countryes vse.

The comitte appointed by the hono<sup>r</sup>d Gennerall Court, October 2<sup>d</sup>, 1678,

to settle the bounds of a farme lying in Salem, conteyning three hundred acres, apperteyning to the Reſnd Mr James Allin, of Boston, (commonly called Bishops Farme,) meeting together at Salem the second time, (having first re-vejwed the land,) heard all controuersies concerning the same, and tried the bounds (that were shewed by both partjes) by a surveyor, for a finall conclusion in refference to the settlement of the sajd bounds, they did agree as followeth, viz<sup>t</sup>: that begining at a maple, old marked, in Mjery Swampe, (vpon the southwest of the land,) from thence runing to the black oake (old markt) vpon the Gouverno's plajne, & continuing the same lje vntill yow come (in a square) as farr eastward as the hemlock, by the old sawmill; then from this corner, made as aforesajd, to the aforesajd hemlock; then from the sajd hemlocke, the brooke in that place (according to the runn of the water in it) shallbe the bounds, vntill yow come as farr westward as the cratch in the brooke, i. e., where two brookes issue \*into one, then to runne sixe poles due north; from thenc westward, in a direct lje, to take Bishops old orchard & house place; from thence still westward, to a great poplar; and what shallbe now a wanting of three hundred acres shallbe made vp at the end of this land, continuing each side so as to leaue the west end nere a square; also, they order the surveyor, Jonathan Danforth, to perfect the sajd bounds according to this order, and returne a true plat & reccord of the same to the sajd comitte.

1679.

28 May.

Comittees re-  
turne of Mr  
James Allens  
farme.

[\*211.]

Courts allow-  
and thereof.

Salem, given vnder our hands, 7 10 m̄, 1678.

EDMOND BATTER,  
OLLIUER PURCHIS,  
WILLJAM JOHNSON,  
JOHN WHIPLE,  
JOHNATHAN POOLE.

This Court approves of the returne of the comitte as to this settlement, as aboue written.

EDW<sup>p</sup> RAWSON, Secre<sup>t</sup>.

A plat of this farme, vnder Jonathan Danforths hand, y<sup>e</sup> survejor, is given in, & left on file.

As attests,

EDW<sup>p</sup> RAWSON, Secre<sup>t</sup>.

The Treasurer of the country, not being able to dischargd the country debts for wants of money in the Tresury, this Court, the better to enable him therevnto, doth grant a country levy of fower single rates, to be payd by each

A levy of  
fower country  
rates & prises,  
&c.



1679.

28 May.

toune & person in corne, according to the prises set last October, and to be payd in to the Tresurer at Boston by the last of August next, provided, if any shall pay money, such toune or person shall pay but halfe the summe, viz<sup>t</sup>, only two single rates, each toune to pay according to the last yeares lyst deliūd to the Tresurer, and proportion'd among the inhabitants according to their present estates, by the select men, on receipt of the Tresurers warrant.

Vpon enquiry into the state & condiçon of the Castle & fortifications in & about the townes of Boston, the comittee finds the Castle & batterye in competent repaire, saue that something is needfull to be donne to the platforme. The batterye platforme is wholly to doe, only timber is on the place; and five of the lower platformes, to say for gunns, there are twenty three mounted aboue in the Castle, & seven below in the batterye; and that there are five smale gunns wanting to cleare the curtains aboue. There is 570 of shott, w<sup>th</sup> other implements. Pouder is wanting.

To the garrison there are fower men, besides the captaine & gunner.

The lodgings & pouder roome w<sup>th</sup>in the Castle want flooring; locks, &c, wanting.

Courts letter to Gent<sup>n</sup>: —  
our agents.

[\*212.]

Your seuerall letters to the late honnourable Governo<sup>r</sup>, (whom God hath in his holy, though very afflictive, providence removed from us,) and others to whom yow haue written, haue binn comūicated to vs, wherein wee were assured, as wee alwayes \*beleiued, of your most serious & intense care for the countrjes service, and the most speedy dispatch of our labouring interest vnder your managment, though wee cannot but deeply be sencible of the darke dispensations of God in the so many and long continued delayes and frustrations of our hopes of yo<sup>r</sup> returne, yet, attributing it not to any defect of your endeavo<sup>r</sup>, but to our oune evill deserving in Gods sight, that such delayes may procure in us a deeper sence of our dependance vpon himself, and to cause us to put our trust in him, the issue will be happy, as sometimes to Israell, when all other sorrowes were to humble them, and proove them, and doe them good in their latter end.

What yow intimate referring to supply of moneys, wee haue treated the Treasurer thereabouts, and he informes that the remayning two hundred pounds, for which your oune bonds were given, he supposeth will be supplied before these come to hand, he hauing taken speciall order in that case; and what is necessary for your oune further expence, your bills, w<sup>th</sup> advance, shall be complied w<sup>th</sup> heere.

Wee haue not to add to your instructions for yo<sup>r</sup> managment or

defence, not being able at such a distance, and before hand, to take such measures as may accomodate your answers to what may be demanded or vrged, only in gennerall that yow doe not further engage the country, or suffer the entanglement or p̄judice to the eastern tounes by any answers made, but that the fayrest, after trjall, maybe allowed them, (if such an affliction must happen.) Wee are impatient of your returne, & help here, & labor dayly w<sup>th</sup> God for yo<sup>r</sup> coming to us, from whom only wee hope for such a mercy. Wee doe not enlarge, hoping these may finde yow remooved from yo<sup>r</sup> lodgings & coming towards us, & vnderstanding your families to be in health, from whom yow will haue account of yo<sup>r</sup> particular concernes. W<sup>th</sup> our kind loues to yow both, comēding yow to Gods rich preseruing grace & mercy, remajne

1679.

28 May.

Yo<sup>r</sup> very louing frinds,The Gennerall Court of y<sup>e</sup> Massachusetts.

&amp; signed, by their order,

EDW<sup>D</sup> RAWSON, Secret<sup>r</sup>.Boston, May the 18<sup>th</sup>, 1679.

\*Vpon the serious consideration of those sad & solemne dispensations of the Most High towards his poore people inhabiting this wilderness, still calling vs vnto deepe humilljations, & more then ordinary suppljations before the Lord our God, in that his anger is not turned away, but his hand is stretched out still ouer some of our tounes, in respect of that mortall & contagious disease, wherew<sup>th</sup> sundry places haue been sorely vissited, (albeit the Lord hath binn intreated to send forth his word, & heale in a gracious measure, which mercy wee doe desire that it may melt & humble us,) and the Lord hath of late made awfull breaches, both vpon the comon wealth & vpon the churches, by taking away many shephards & principall men from us. It is also, as yet, a day of doubtfull expectation w<sup>th</sup> us respecting matters of the greatest concernments; and, aboue all, wee haue reason to put our mouths in the dust, vnder a deepe & humbling sence of our manifold sins & great vnreformedness, notw<sup>th</sup>standing the voyce of God in the mouth of his servants, & notw<sup>th</sup>standing judgments vpon our land, yea, & eminent deliuerances w<sup>ch</sup> the Lord hath wrought for us, after wee haue cryed vnto him to arise & saue us. Being likewise sencible that it is the day of Jacobs trouble in other parts of the world, especially that darke clouds are impending ouer the English nation, & some of the Lords servants there, who did often, by fasting & prayer, seeke vnto the Lord for us, when bleeding vnder our late distresses, doe now call vpon us to doe the like for them. Vpon these & the like considerations, this Court doth appoint the second Thursday of July to be kept as a day of pub-

[\*213.]

Order for a day  
of humilliation  
2<sup>d</sup> Thursday in  
July.

1679.

28 May.

licke humilliation, w<sup>th</sup> fasting & prayer, throughout this colony, and all the inhabitants thereof are heereby required to forbear servile labour vpon that day, & earnestly exhorted to confesse, & turne from all transgression, & to entreate the Lord for his mercjes sake in Christ Jesus, yet to oune us for his people, continuing our libertjes, civil & sacred, and, in his good time, to returne our agents, & saue his deare people in the land of our fathers sepulchers, that it maybe sajd to this day, 'In the mount of the Lord it shall be seene,' as also to pray that the blessing of Heauen may be vpon & the Lords gracious presence w<sup>th</sup> the synod that is ere long to conuene in Boston, that the Lord himselfe præsidings therein, the issue of that solemne vndertaking may be glory to his oune great name, reformation, & salvation to this his people.

Ans<sup>r</sup> to Mary  
Coopers peti-  
tion, &c.

In ans<sup>r</sup> to the petiçon of Mary Cooper, in behalfe of herselfe and Elisabeth Cooper, excecutrixe of the last will & testament of Josiah Cooper, late of Boston, humbly desiring the favor that they may be enabled to sell all or part of the sajd house & land for the payment of the legacies & just debts, & that the remainder may be settled, oñ halfe on the petiçoner, sajd Elisabeth, & the other halfe on yo<sup>r</sup> petiçoner & hir child, the Court judgeth meete to grant the petiçoners request, i. e., power to sell the house, or part of it, w<sup>th</sup> the lands it adjoynes, for the ends aforesajd.

[\*214.]

Ans<sup>r</sup> to Cap<sup>t</sup>  
Claps peti. as  
to beginni<sup>s</sup> of  
his mony pay.

\*In ans<sup>r</sup> to the question proposed by Cap<sup>t</sup> Roger Clap in his petition, & as an explanation of the order of Court made in October last as to the cap<sup>tn</sup> & his mens sallery, the Court resolues, & here declares & orders, that the Treasurer make payment to the sajd captaine in manner & forme as in sajd order is exprest, & to begin and take place from the beginning of his yeare preceding his moçon in October last.

Ans<sup>r</sup> to W<sup>m</sup>  
Hollowells pe-  
tiçon, &c.

In ans<sup>r</sup> to the petiçon of W<sup>m</sup> Holowell, Benjamin Holowell, & Edward Ashley, the Court doe judge & declare, that the petiçoners, if they haue any wrong donn them, they may proceed in a course of law for obteyning their right against the execcuto<sup>rs</sup>.

Ans. to Jn<sup>o</sup>  
Man, W<sup>m</sup>  
Hoare, &c, ba-  
kers peti.

In ans<sup>r</sup> to the petiçon of John Man, Th<sup>o</sup> Skinner, W<sup>m</sup> Hoare, and George Dauson, loafe bread bakers, &c, in Boston, it is ordered, that M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> John Richards, Cap<sup>t</sup> Thomas Brattle, & Cap<sup>t</sup> Lawrence Hamond be a comiçtee to consider & make an experiment, whither the prizes of wheate & assizes of bread stated in the law be not such as the bakers may liue by, and that they make a returne of their proceedings therein to the sessions of this Court in October next, the charge of the comiçtee to be borne by the bakers.

Ans<sup>r</sup> to Benj.  
Briscoes peti-  
çon.

In ans<sup>r</sup> to the petiçon of Benjamin Brisco, the Court judgeth it meete to reffer the petiçoner to the County Court to abate or wholly remitt his fine, as



they shall see cause, as also in reference to further licensing him, to act further therein as they see meet.

It having pleased the only wise God to remoove by death our late honoured Gou<sup>no</sup>r, who, as wee are informed, was at considerable charge for procuring a new seale, which is vsed w<sup>th</sup> a sk<sup>rw</sup>, much more convenient then the hand seale, it is therefore ordered by this Court, that the Treasurer of the country doe treat w<sup>th</sup> & purchase of the excec<sup>trix</sup> of sajd late Gou<sup>no</sup>r the sajd seale & sk<sup>rw</sup>, and deliuer the same to our present honored Gou<sup>no</sup>r, and also receive of the sajd excec<sup>trix</sup> the old seale, together w<sup>th</sup> a duplicate of our patent lying now in her hand, w<sup>ch</sup> seale, duplicate, & sk<sup>rw</sup> henceforward shall remaine in the Gou<sup>no</sup>r's hand, for time being, for the vse of the country.

In ans<sup>r</sup> to the petition of James Blake, humbly craving the favour of this Court, that he, having agreed w<sup>th</sup> the late John Holdbrooke, of Roxbury, to exchange some lands w<sup>th</sup> him for mutual benefit, & signed his deed, but sajd Holdbrooke dying quickly before he signed his deed to yo<sup>r</sup> peti<sup>ō</sup>ner, humbly desireth that Elisabeth Holdbrooke, his widdow & administratrix of y<sup>e</sup> s<sup>d</sup> Jn<sup>o</sup> Holdbrooke, may be allowed & impowred to passe deeds accordingly, the Court judgeth it meet to grant this peti<sup>ō</sup>n.

1679.

28 May.

Order about y<sup>e</sup>  
countrys seale,  
sk<sup>rw</sup>, & patent.  
To ly w<sup>th</sup> y<sup>e</sup>  
present Gov.

Ans<sup>r</sup> to James  
Blake peti<sup>ō</sup>n.

\*Whereas the honoured Gennerall Court, at their sessions, October 2, 1678, did appoint vs, whose names are vnderwritten, a com<sup>it</sup>tee in reference to a difference betweene Wenham, Beuerly, & Village, relating to a diuissionall l<sup>j</sup>ne betweene them, as to a suiteable accom<sup>o</sup>dation in way of proportion betweene each place, & empowred fully to settle the diuic<sup>ō</sup>nall l<sup>j</sup>nes betweene them, and also finally to settle the matter in controu<sup>rsy</sup> betweene Salem & Beverly relateing to an addition of land out of Salem, in obedience wherevnto wee did repajre vnto the sajd places on the eleventh of November ensuing, & vejwed the same; and fully heard the seuerall pleas, & allegations, & euidences of all the partjes concerned; and seene Salems grant of towneship & bounds to Beuerly to be from the east side of Bass Ryuer to Wenham l<sup>j</sup>ne at a pine stump by a swamp runing out of Laurenc Leaches meadow, and so to Manchester l<sup>j</sup>ne, but doe not say to what part of the sajd l<sup>j</sup>ne, —

[\*215.]  
Courts judg-  
ment inter  
Beverly &  
Wenham.

And considering the selectmen of Salems answer to the inhabitants of Wenhams petition for to declare their minds concerning a diuissionall l<sup>j</sup>ne betweene Beverly & them, and the sajd selectmen expressing themselues that, considering Wenham is the auntients towne, they desire the l<sup>j</sup>ne betweene Wenham & Beuerly may be settled in favour to Wenham, Beuerly having a farr more larger accom<sup>o</sup>dation in proportion then Wenham, and finding that Salem & Wenham were both agreed of their l<sup>j</sup>ne from the aforesajd pine



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stumpe to a white oake tree, marked, & standing on Alfords Hill, nere the Great Pond, and was ouned by both partjes, & stones lajd to the sajd pine stumpe & trees, — vpon due & serious consideration of the premisses, wee haue determīd for a full settlement of the sajd diuissionall ljnes as ffolloweth: namely, that the bound ljnes betweene Wenham & Beverly shallbe from the aforesajd pine stumpe by the swamp runing from Lawrence Leaches meadow, as the line was formerly stated & agreed on, to the marked white oake on Alfords Hill, nere the Great Pond; and from the sajd white oake, the ljne to rvnn streight to Manchester ljne to the fowerth part of the sajd ljne, from the white oake tree, marked, at the east end of the Pleasant Pond to the head of Chubbs Creeke; allwayes prouided, that the meadowes w<sup>th</sup>in sajd line belonging to Beverly, from Longham bridge eastward shall remajne to Beuerly, and also that Wenhams sixe hundred acres of land granted to them by Salem formerly, be made good to them. \*And in refference to the bounds ljne betweene Wenham & the villag, wee haue concluded & determined that the line shall rvnn from the abouesajd pine stumpe, by the swampe runing from Lawrenc Leaches meadow, on a west ljne, to Topsfeild ljne. And as for the matter in controuersy betweene Salem & Beverly relating to an addition of land from Salem, wee see not reason to grant it, Beverly hauing farr more large accomodation in way of proportion then the other places. Witnes our hands.

JOHN WAYTE,  
JOHN CORUIN,  
WILLJAM JOHNSON,  
JONATHAN POOLE,  
RICHARD HUBBARD,  
JOHN PUTMAN.

The Court approoves of this retorne: th

Courts judgm<sup>t</sup>  
in Quilters  
case.

In ans<sup>r</sup> to the petiçōn of Francis Quilter, widdow, & relict of Marke Quilter, deceased, crauing the Courts favour for a setlement of the estate of the deceased, the Court, hauing heard & considered of what hath binn alleadged in the case by all persons concerned, doe finde that the sajd Quilter died intestate, and that the pretended will presented to this Court ought to be accounted null & voyd, and doe therefore judge meete that the petiçōner shall haue the vse of the whole estate during hir life, and afterwards the one halfe to be disposed of as shee sees good, and the other halfe to the relations of hir deceased husband, to be ordered & regulated in the dispose of the same as the County Court of Ipsuich shall see meete; & hir bill of costs was granted

hir, which was fowerteene pounds eighteen shillings & eleven pence, w<sup>ch</sup> she was ordered to pay; & Joseph Quilter had his bill of costs of forty seven shillings allowed him. 1679.  
28 May.

In ans<sup>r</sup> to the petition of the inhabitants of Chebacho, W<sup>m</sup> Cogswell, Señ, Rob<sup>t</sup> Crosse, Señ, Willjam Story, &c, vpon a full hearing of the Chebacho case, the Court judge the petitioners of Chebacho haue offended the council, in going expresly contrary to their aduise, in erecting a meeting house, which they order them imēdiately to acknowledge, & humble themselves for; as also wherein they haue justly offended the officers & church of Ipsuich, wee order them seriously to apply themselves to the church for reconcilliation, which being donn, doe grant them liberty to procure a minister, to be helpfull to them in the worke of the ministry, provided he be pious, able, & orthodox, as the law directs, w<sup>th</sup> the aduise of the following comītee, i. e., Joseph Dudley, Esq<sup>r</sup>, Majo<sup>r</sup> Richard Waldron, M<sup>r</sup> Anthony Stoddard, M<sup>r</sup> Henry Bartholmew, & Leiff W<sup>m</sup> Johnson, who are appointed to be a comītee for that affaire, and are desired to meete on the place, at the petiōners charge & request, and to heare their allegations, & the allegations of some deputed by the toun of Ipsuich, referring to the accomodations of others of their inhabitants, and fynally to determine the place of erecting a meeting house, \*that may be most accomodable for them, and all cases depending in Courts referring to this matter doe cease, & the Chebacho men are to pay tenn pounds for this Courts costs. As an addition or explanation of the order to Chebacho men, it is hereby ordered, that such of them as are delinquents in erecting a meeting house there, contrary to the aduise & prohibition of the council, and are suūoned to Salem Court, to ans<sup>r</sup> their sajd contempt, doe there make their acknowledgm<sup>nts</sup> in these words, viz<sup>t</sup>, that they are convinced that they haue offended in so doing, for which they are sorry, and pray it may be forgiven them, and so to be dismissed w<sup>th</sup>out any further trouble, charge, or attendance in that respect, or further attendance on the council for that their offence. [\*217.]

In the case betwene John Gifford, by his petiōn, plaintiff, against Thomas Walter, attorney of John Wright, Esq<sup>r</sup>, deffendant, heretofore tryed in Ipsuich Court, — Courts judgment in Giffords case.

This Court, hauing heard the pleas of both partjes, and finding that the rise of the action was grounded vpon the coppie of a bond, the originall whereof doth yet remajne in England, vncancelled, doe reverse the judgment of Ipsuich Court, and doe order, that the body of the sajd Gifford, & his estate, seized or secured by virtue of execution granted vpon the sajd judgment, be released, and by the marshall that seized the same sajd estate to be deliuered to the sajd Gifford, and the sajd Thomas Walter to pay vnto the

1679.

28 May.  
Associates for  
Douer & Ports-  
mouth.

Person in ma-  
jestratticall  
authority in  
Douer & Ports-  
mouth.

Person alike  
impowred for  
Yorks.

Associat for  
Yorks.

Associats for  
Norfolk.

M<sup>r</sup> Jn<sup>o</sup> Wood-  
bridg, M<sup>r</sup> Dal-  
ton, & Cap<sup>t</sup>  
Gilman comis-  
si.

[\*218.]

Comissioners  
for Essex.

M<sup>r</sup> Solo. Stod-  
dards 20<sup>th</sup> al-  
lowed to be p<sup>d</sup>  
by y<sup>e</sup> Tresurer.

Province of  
Mayne not to  
be sold till fur-  
ther orders.

Comitte for  
releife of  
wounded soul-  
diers, time of  
their meeting.

sajd Gifford the costs of Ipsuich Court, and the sajd Gifford to pay the costs of this Court; fiue pounds for y<sup>e</sup> Courts hearing the case was remitted to him.

Majo<sup>r</sup> Robert Pyke, Majo<sup>r</sup> Richard Waldron, M<sup>r</sup> Richard Martyn, & Cap<sup>t</sup> Thomas Daniel are chosen by y<sup>e</sup> county, & allowed of by this Court, to be associates for the county of Dover & Portsmouth for the yeare ensuing.

Majo<sup>r</sup> Richard Waldron, M<sup>r</sup> Richard Martyn, & Cap<sup>t</sup> Elias Styleman are appointed & hereby invested with magistraticall power in the county of Douer & Portsmouth, as formerly, for y<sup>e</sup> yeare ensuing.

Majo<sup>r</sup> Richard Waldron & M<sup>r</sup> Francis Hooke are appointed by this Court & hereby invested w<sup>th</sup> magistraticall authority for the county of York-shire for the yeare ensuing.

M<sup>r</sup> Edw<sup>d</sup> Rishworth, Cap<sup>t</sup> John Wincoll, M<sup>r</sup> Samuel Wheelwright, & Cap<sup>t</sup> Joshua Scottow, being nominated for associats for the county of York-shire, were allowed of by this Court for the yeare ensuing.

Majo<sup>r</sup> Robert Pyke, Cap<sup>t</sup> Thomas Bradbury, M<sup>r</sup> Samuel Dalton, & Cap<sup>t</sup> John Gilman were nominated to, & by this Court allowed & impowred, to be associates for the county of Norfolke for y<sup>e</sup> yeare ensuing.

M<sup>r</sup> Jn<sup>o</sup> Woodbridg for Newbery, M<sup>r</sup> Samuel Dalton for Hampton, & Cap<sup>t</sup> Jn<sup>o</sup> Gilman for Exiter, their comissions for magistratticall authority is hereby renewed for the yeare ensuing.

\*M<sup>r</sup> John Woodbridge, of Newbery, & M<sup>r</sup> W<sup>m</sup> Broune, of Salem, are appointed & impowred assosiates for the county of Essex for the yeare ensuing.

It is ordered, that the Tresurer make payment of twenty pounds to Solomon Stoddard, due to him, provided it appeare in the gennerall accounts of the county, & that it be then taken of the gennerall account.

Leiff W<sup>m</sup> Clarke, M<sup>r</sup> Peeter Tilton, M<sup>r</sup> Samuel Smith, M<sup>r</sup> Joseph Pyn-  
chon, otheruise M<sup>r</sup> John Holljocke, being nominated, are allowed & appointed associates for the county of Hampshire.

This Court hauing, in October sessions last, passed a vote empowring our hoñored Gou<sup>no</sup>r & council to improove or dispose of the Province of Majne, by sale or otheruise, for reimbursing what money was layd out in England for purchase thereof, on further consideration, doe see cause to recall the sajd vote, & declare they judge meete to keepe the sajd prouince in the countrys hand, according to contract made by our comissioners, vntill this Court take further order therein.

Vpon complaint & petition of some men wounded in the late warr, who moove for releife, this Court, in consideration thereof, doe order the persons now petitioning, & all other persons that haue like cause, to repaire to the comitte appointed by the Gennerall Court for releife of such persons; M<sup>r</sup>



John Richards being now added to the said committee, and that the said committee meete from tyme to tyme on the second Twesday in September, & the second Tuesday in March in Boston toune house.

1679.

28 May.

Vpon information that the battery at Charls Toune is like to be rendered vseless by the adjoyning wharfes & buildings thereabouts, which will be great disseruice to the country, it is ordered, that Major Gookin, Mr Stoddard, Cap<sup>t</sup> Richards, & Cap<sup>t</sup> Brattle be a committee of this Court to repaire thither, & vejw the same, & call all partjes before them, & make report to the next session of this Court what they finde therein.

Committee about  
Charls Toune  
battery.

To make y<sup>e</sup>ir  
report to the  
next session.

Layd out to Mr Roger Conant, of Beverly, aljas Basse Riuer, one parcell of land in the wilderness, on the eastern side of Merrimack Riuer, two hundred acres of land, be it more or lesse, lying adjoyning to Mr Webbs fue hundred acres, and begins at a great pine tree, marked w<sup>th</sup> E, w<sup>ch</sup> is the N.W. corner of Mr Edw<sup>d</sup> Tyngs farme, and from this pine it rvns eighty three degrees and a halfe westward from the north, one hundred and thirty pole, which reacheth to Beavar Brooke; and frō the first pine it runns eleven degrees westward from the south, two hundred and fiuety pole; from thence it rvns eighty fower \*degrees & a halfe westward from the south, one hundred and thirty two pole; the last line is parrallel to the seccnd l<sup>j</sup>ne, and closeth to Beavar Brooke; the l<sup>j</sup>nes are all rvne, and seuerall trees bounded w<sup>th</sup>, & the rest well marked; it ljeth in the forme of a long square. Lajd out by Jonathan Danforth, surveyor, 22 (3 m) 1674.

Mr Conants  
farme layd out.

[\*219.]

The Court approoves of this returne.

Artickles of agreement betweene Daniel Morse, Señ, Thomas Eames, Henry Leland, & Obadiah Morse, in the behalfe of the toune of Sherborne, on the one party, and Waban, Pyambow, Thomas Tray, rulers, and John Awooseamoge, Señ, Peter Ephraim, and Daniel, on behalfe of the toune of Naticke, on the other party, had, made, concluded, & agreed vpon this sixteenth day of Aprill, 1679: —

Sherborne &  
Natick ex-  
chang of lands.

1. Whereas it hath pleased the Gennerall Court, by their order bearing date May the twelfth, 1675, to give leaue to the people of Sherborne to purchase, by way of exchange, from the people of Naticke a quantity of land belonging to Naticke, for the furtherance & promoting of Sherborne plantation.

2. The people of Sherborne aboue named, in behalfe of the rest, do desire about fower thousand acres, as it is plotted, described, & bounded, on the north east w<sup>th</sup> Naticke, on the south east, south west, & west w<sup>th</sup> Sherborne, on the west & north west w<sup>th</sup> a farme belonging to Mr Danforth.



1679.

28 May.

3. In compensation for the same, they agree to give, by way of exchange, the like quantity of land, bee it fower thousand acres, more or lesse, ljing and being adjoyning to Mahugkoog, Indian Hill, which land was granted vnto Sherborne by the Gennerall Court of the Massachusets. Moreouer, they doe promise and couenant to pay vnto the persons aboue named, their heires or assignes, the full and just quantity of two hundred bushells of Indian grajne, to be pajd one halfe in hand, or at demand, and the other halfe the last of March next. Moreouer, they are willing that Peeter Ephrajm doe enjoy the land he hath broken vp w<sup>th</sup>in that tract of land they are to haue of Naticke, at a place called Brush Hill, and to add therevnto more, as may make the lott twelue acres, w<sup>th</sup> an æquall proportion of medow, to enjoy to him, the sajd Peeter Ephraim, and his heires, & assignes foreuer, but to be vnder the gouernment of the tounship of Sherborne, as the English are.

4. Also, wee agree & consent that one the lands wee are to haue of Naticke there be a lott of forty acres set out where the comissioners of the colonjes, Major Gookin, & Mr Elljot, and Indian rulers, shall choose w<sup>th</sup>in that tract of land, to be appropriated foreuer to the vse of a ffree schoole, for teaching [\*220.] the English & Indian children there the English tongue & other sciences.

5. And lastly, the people of Naticke aboue named, in behalfe of the rest, doe agree & grant vnto the sajd toun and inhabitants of Sherborne all the parcell of land aboue mentioned, w<sup>th</sup> all the woods, water courses, priuiledges, and appurtenances thereof absolutely and freely foreuer, prouided wee are to receive the like quantity of lands, woods, water courses, priuiledges and appurtenances thereof neere Magungecoog before mentioned, and the two hundred bushell of corne, &c, freely & absolutely to vs & our heires foreuer; and both partjes doe promise and ingage themselues each to other to give & passe deeds of sale, fully & amply, for the premisses, in time convenient and at demand. In witnes whereof, the partjes aboue mentioned haue to this present writting and agreement set our hands the 16<sup>th</sup> of Aprill, 1679.

Signed & deliuered in  
presence of —  
Daniel Gookin, Señ,  
Nathaniel Gookin,  
Edw West.

DANIEL MORSE,  
THOMAS <sup>Sigñm</sup> T E EAMES,  
HENRY <sup>Sigñm</sup> H L LEYLAND,  
OBADIAH MORSE,  
Sigñm X WABAN,  
Sigñm O PIAMBOW,  
Sigñm \ THOMAS TRAY,  
DANIEL,  
PETER be EPHRAJM,  
his m'ke.

That this is a true copie of the originall writing in my keeping, by consent of partjes, as neare as I can truely examined, being something enterljned & blurd, is attested by me.

1679.

28 May.

DANIEL GOOKIN, Señ, Assistant.

May the 24<sup>th</sup>, 1679.

In answer to a motion made in behalfe of Sherborne inhabitants, this Court doe rattefy & allow of the exchainge of lands made as aboue sajd.

30. 3. 79.  
Covrts confir-  
mation.EDW<sup>d</sup> RAWSON, Sec<sup>y</sup>.

Wee, whose names are subscribed, being appointed by the Gennerall Court to consider the case referring to the petition of Sherborne, viz<sup>t</sup>, about exchainge of lands w<sup>th</sup> the Indians, and other things conteyned in that petition, in pursuite whereof, & obedience wherevnto, being desired by Sherborne the 1st of the third m<sup>o</sup>, 1677, where wee expected Major Gookin and Mr Elljot, w<sup>th</sup> some Indians; but wayting some time, only two Indians came, w<sup>th</sup> a paper from Mr Elljot, by which wee vnderstood nothing was like to be donn; but taking notice of the order referring to the perfecting the plantation, wee finde there is but litle or no country land neare the place where they intend to sett their meeting house; that if any other inhabitants come amongst them, if they grant no less then ten acres before any be granted to farmes, then, considering the trouble of the farmes, and their charges, that when a gennerall divission be made, all shall haue æquall diuission as the Court order directs. Secondly, as to the farmes adjacent, wee conceive all those in Meadfeild bounds that were granted by this Covrt, and received nothing from Meadfeild, shall be accounted and liable to all charges, and take vp priuiledge \*in Sherborne; those in Natick bounds, all the petitioners lands shall be accounted inhabitants in Sherborne; and all other farmes that are nighest Sherborne meeting house shall be likewise in the bounds of Sherborne, and doe duty and receive priuiledg therein; but wee doubt whither they be like to be a toune, if some considerable tract of land be not procured from the Indians, either by exchange or purchase, or both.

Comittees re-  
turne at Sher-  
borne.

[\*221.]

Your hono<sup>r</sup>s humble servants,

22 3, 1677.

DANIELL FISHER,  
RICHARD ELLICE,  
THOMAS THIRSTON.

May 30, (79) The Court approoves of this returne, provided allwayes that the tract of wast lands scittuate & lying indifferently accomodable for

1679. Sudbury & Marlborough, as well as Sherborne, and are now belonging to Thomas Danforth, Esq̃, Dep<sup>t</sup> Goṽ, be excepted.

30 May.  
Courts confir-  
mation of Tho.  
Eames land  
exchangd w<sup>th</sup>  
y<sup>e</sup> Indians.

It being propounded by Thomás Eames in Court, at Nonantun, 24<sup>th</sup> Janū, 1676, to haue a parcell of land now belonging to Naticke, that is encompassed by the lands of M<sup>r</sup> Thomas Danforth, Goodman Death, & John Stone, on three parts, the Indians consent that in exchange of land betweene Sherborne & Naticke, this parcell desired by Goodman Eames shallbe included in that land that Sherborne men haue in exchainge from Naticke. This is a true copie of what was recorded in the matter at that time.

As attests

DANIEL GOOKIN, Señ.

This is a true copie compared w<sup>th</sup> its originall, presented to the Gennerall Court, May 23, 1677, & is on file.

As attests

EDWARD RAWSON, Secre<sup>ř</sup>.

En<sup>t</sup> lib: 6, page 150, 9, (11,) 77, by TH<sup>o</sup> DANFORTH, Rē.

In ans<sup>r</sup> to a motion made by Thō Eames, this Court doth allow & confirme the exchange & grant made of the lands w<sup>th</sup>in mentioned.

ED: RAWSON, Secre<sup>ř</sup>.

Ans<sup>r</sup> to M<sup>r</sup>  
James Russells  
peti<sup>on</sup> abt<sup>t</sup> y<sup>e</sup>  
dry dock.

In answer to the petition of James Russell, John Heyman, John Phillips, & Samuel Ballat, in the behalfe of themselues & their copartners in the dry docke at Charls Toune, craving the Courts favour, that whereas they haue, by encouragement from this Court, been at great charge ffor the making of a dry docke in Charls Toune, aforesajd, the Court judgeth it that the sajd dry docke shallbe rate free from all country rates for the space of thirty yeares next coming; and doe further order & grant, that no other dry docke shallbe made w<sup>th</sup>in this jurisdiction during the terme of thirty yeares, as abouesajd, by any other person or persons whatsoever, prouided they keepe the sajd docke in good repaire, fitt for service during the sajd terme.

To w<sup>th</sup> 30  
yeares privileg  
is granted &  
imunity from  
rates, &c.

[\*222.]

Addition to y<sup>e</sup>  
law, title Firing  
Woods, &c.,  
p. 51.

\*Whereas this Court is informed that great damage hath hapned to seuerall persons in the outskirt plantations by Indians kindling fires in the woods in the latter part of the yeare, whereby great quantitjes of hay stackt vp in the meadowes haue been consumed, for prevention wherof for time to come, and as an addition to the law, title Firing & Burning, page 51, in the last booke of lawes, wherein the time of kindling fires in woods & grounds lying in comon, &c, is limited, this Court doth order and declare, that all Indians are included in the sajd lawe, as well as

the English ; and it is further ordered by this Court, that all those persons that, by this Court or the council, are impowred to inspect & gouverne the Indians called Freind Indians doe forthwith publish & declare this order to them, that they may vnderstand they not observing sajd law are liable to the poenalty thereto annex.

1679.

30 May.

It is ordered by this Court, that the County Court next to be held at Douer doe take effectuall care for the levying of the publicque rates payable & due from the inhabitants of that Court, as well those on the Isle of Shoales as elsewhere, that so the dues belonging to those that haue donn service in the late warr, & disbursed their estates for the publicke, may be payd as in æquity wee are bound.

Order for Dou-  
er Court to  
see y<sup>e</sup>ir arre's  
as to rates  
payd, &c.

Whereas seuerall of the inhabitants of Marlborough haue made their applications & complaints to authority, earnestly entreating helpe for their settlement in their ciuil affayres & diuissions of lands, greiuous dissentions threatening their ruine, w<sup>ch</sup> to prevent it is ordered, that Thomas Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>, & Joseph Dudley, Esq<sup>r</sup>, Cap<sup>t</sup> Law<sup>r</sup>nce Hamond, Cap<sup>t</sup> Daniell Fisher, & Cap<sup>t</sup> Thomas Brattle shallbe & heereby are appointed a comittee vpon the place to heare the complaints of the inhabitants of Marlborow, & finally & authoritatively to determine & settle all matters in difference amongst them, and make report thereof to the Court, & that they also determine & order the settlement & reuniting of the toune.

Marlborough  
comittee.

In ans<sup>r</sup> to the petiçon of the inhabitants of the Great Island, on Piscataqua Riuer, humbly desiring the favor of this Court that they may be a toune amongst themselues, &c, the Court judgeth it meete that the petiçoners make an orderly application to the toune of Portsmouth for their consent, and in case there be not a mutuall concurrence, the petiçoners may make the returne thereof to the next sessions of this Court.

Ans<sup>r</sup> to y<sup>e</sup> in-  
habitants of  
Great Islands  
petiço.

In ans<sup>r</sup> to the petiçon of M<sup>r</sup> George Carr, humbly desiring the favour of this Court to passe their order to the Tresurer for the payment of the ballance of his accompt due to him, the Court, by their comittee who had the examination of it, finds that he hath had his due, so farr as the law for regulation of disbursments doth allow.

Ans<sup>r</sup> to M<sup>r</sup>  
Carrs petiçon.

\*In ans<sup>r</sup> to the petiçon of John Mun, of Westfeild, desiring this Court to grant him payment here at Boston by the Tresurer of what is due to him on the last account sent in from Westfeild, being the sume of seven pounds sixe shillings, & one halfe of the s<sup>d</sup> sume to be payd him by the Tresurer in money, this Court, vpon reasons alleadged in the petition, judge meet to allow the sajd Mun payment accordingly out of the treasury, the sume being defaulted out of the gennerall account of that toune.

[\*223.]

Ans<sup>r</sup> to Muns  
petiçon.



1679.

30 May.  
Ans<sup>r</sup> to Jn<sup>o</sup>  
Hubbards peti-  
tion.

Cap<sup>t</sup> Hobbart  
to lyst troop's  
in Hingha.,  
Weymouth,  
Hull.

Ans<sup>r</sup> to Joseph  
Kelogs peti-  
tion.

Ans<sup>r</sup> to select-  
men of Ips-  
wich for regu-  
lation of Plum  
Island, &c.

Ans<sup>r</sup> to M<sup>r</sup>  
Samuel Whit-  
ing, Sen., peti.,  
600 ac<sup>re</sup> gr<sup>anted</sup>.

Ans<sup>r</sup> to Majo<sup>r</sup>  
Sauage peti-  
con. Case to  
be heard 1st  
Friday in Oc-  
tob<sup>r</sup> sessions.

Ans<sup>r</sup> to Tho.  
Tares peti<sup>con</sup>,  
a hearing his  
case gr<sup>anted</sup>.

[\*224.]

Cap<sup>t</sup> Richard  
Walker cap<sup>t</sup> to  
y<sup>e</sup> Lynn troop.

Ans<sup>r</sup> to Prisil-  
la Leu<sup>deur</sup>  
peti<sup>con</sup>, y<sup>e</sup> 50<sup>th</sup>  
remitted hir.

Ans<sup>r</sup> to Sarah  
Hauthorns pe-  
tion.

In ans<sup>r</sup> to the petition of John Hubbard, of Hadley, the Court judgeth it meet to grant, & doe hereby order the Tresuer to pay the peti<sup>con</sup>er tenn pounds, i. e., ffive pounds in money, & ffive pounds in other pay as money, vpon the account of wounded men.

In ans<sup>r</sup> to the peti<sup>con</sup> of seuerall inhabitants of Hingham, as W<sup>m</sup> Healey, W<sup>m</sup> Woodcoke, &c, the Court judgeth it meete to order Cap<sup>t</sup> Joshua Hobbart, Señ, of Hingham, to take a lyst of so many as are willing to list in Hingham, Weymouth, & Hull, & present the same to the next session.

In ans<sup>r</sup> to the petition of Joseph Kelog, the Court judgeth it meet to order the Treasurer to pay vnto him tenn pounds in good pay, to be deducted out of

In ans<sup>r</sup> to the peti<sup>con</sup> of the selectmen of Ipsuich, relating to Ipsuich & Newbery improovement of Plum Island, &c, it is ordered, that no horses nor cattle be put vpon ßd island w<sup>th</sup>out the consent of the majo<sup>r</sup> part of the propi<sup>etors</sup> of the sajd island, according to lawe of cornfeilds, vnder the hands of such propri<sup>etors</sup>.

In ans<sup>r</sup> to the peti<sup>con</sup> of M<sup>r</sup> Samuel Whiting, Señ, of Linne, relating to a deed of gift of land from M<sup>r</sup> Richard Westland, of Boston, in England, for fuety pounds by him, ßd Westland, put into the country stock, &c, the Court judgeth it meet to grant the sajd M<sup>r</sup> Samuell Whiting, Señ, & his heires, sixe hundred acres of land, to be lajd out in any country lands in this jurisdiction.

In ans<sup>r</sup> to the peti<sup>con</sup> of Majo<sup>r</sup> Thomas Sauage, the Court judgeth it meete to grant his request, i. e., a hearing of the case mentioned in his peti<sup>con</sup>, on the first Fryday in the next sessions, at nine of the clocke in the morning, he giving notice to all partjes concerned to attend accordingly.

In ans<sup>r</sup> to the peti<sup>con</sup> of Thomas Tare, the Court judgeth it meet to grant the peti<sup>con</sup>er a hearing of his case at the next sessions in October, in y<sup>e</sup> first weeke of that session, & that the peti<sup>con</sup>er give timely & legall notice to all persons concerned, & in particcular to Cap<sup>t</sup> Styleman, clarke of the Court where the action was tryed.

\*In ans<sup>r</sup> to the peti<sup>con</sup> of the troopers of the troope at Lynn, the Court, considering of this peti<sup>con</sup>, doe appoint Cap<sup>t</sup> Richard Walker to be capitaine to the troope at Linn.

In ans<sup>r</sup> to the petition of Priscilla Leuerdeur, humbly crauing the favour of this Court to remitt hir the remaying part of the forfeiture of hir sonns bond, i. e., fuety pounds, the Court grants hir request in the sajd petition, that the remaying forfeiture of the bond be remitted her.

In ans<sup>r</sup> to the petition of Sarah Hauthorne, relict widdow to Cap<sup>t</sup> W<sup>m</sup>

Hauthorne, the Court judgeth it meete to grant the petiçoner fve pounds in 1679.  
or as money in full for hir late husbands arrears.

In ans<sup>r</sup> to the petiçôn of M<sup>r</sup> W<sup>m</sup> Perkins, Señ, the Court judgeth it  
meete to grant the petiçoner one hundred acres of land, as an addition to what  
formerly was granted, where it is to be hade, provided it be not formerly  
granted, nor hindring a plantation.

The Court, having heard & considered of the case presented to this  
Court by the petition & complaint of the brethren of the church of Rouley,  
referring to accusations against M<sup>r</sup> Samuëll Phillips, teacher to the sd church,  
at the last Court, held at Ipswich Aprill the first, and haue taken due notice  
of what hath binn lajd to his charge, as also what hath binn alleadged to  
cleare him from those things which he hath binn accused of, doe reuerse the  
judgment of Ipswich Court against the sajd M<sup>r</sup> Phillips in the case, and doe  
judge meete, that those persons who gaue in testimony against him, & were  
the occasion of his trouble, be admonished by our honno<sup>d</sup> Go<sup>v</sup>no<sup>r</sup> for such  
their offences, & pay costs of Courts.

And further, as to that case wherein the sajd M<sup>r</sup> Phillips & the deacons  
are chardged w<sup>th</sup> wrong by M<sup>r</sup> Phillip Nelson, referring to M<sup>rs</sup> Rogers her es-  
tate, the Court found they were innocent in that matter, and doe order, that  
the paper presented to this Court as M<sup>rs</sup> Rogers her last will shallbe annexed  
to hir will that is vpon file in Ipswich Court, the sajd M<sup>r</sup> Nelson bearing his  
proportion in costs of Courts, and be also admonished for his vnjust charge  
by our honored Gouverno<sup>r</sup>.

In ans<sup>r</sup> to the petiçôn of the ffoote company at Marblehead, humbly de-  
siring this Courts favo<sup>r</sup> to appoint Leif<sup>t</sup> Samuëll Ward to be their capitaine,  
the Court judgeth it meet to appoint sajd Leftenūt Samuel Ward to be cap-  
taine of sajd company, & order he haue co<sup>m</sup>ission accordingly.

\*It is ordered, that Jeremy Swajne be capitaine of the ffoote company in [225.]  
Redding, instead of the late Capitaine Jonathan Poole, deceased, & that he  
haue his co<sup>m</sup>ission accordingly.

Richard Kettle is appointed ensigne to the ffoote company at Charls  
Toune. The Court, being informed that John Pickering, of Salem, refuseth  
the place of ensigne, on a motion made, the Court appoints Nathaniel Felton  
to be ensigne to Cap<sup>t</sup> Coruins compāy.

It is ordered, that Timothy Nash be ensigne to the ffoot company at  
Hadley in Hampshire.

In observance of an order of the honord council, March 4<sup>th</sup>, 167<sup>9</sup>, the  
farme of M<sup>rs</sup> Parnell Nowell & of M<sup>r</sup> Samuel Nowell, lying on the north of

1679.

30 May.

Douer bounds, were surveyed & well bounded as followeth:—Mr<sup>s</sup> Parnell Nowell hir farme is bounded by Douer l<sup>j</sup>ne on the south fower hundred fuet<sup>y</sup> & sixe pole; by Chochecho Riuer, west<sup>e</sup>, three hundred seuent<sup>y</sup> sixe pole perpendicular; by the wilderness, north, fower hundred fuet<sup>y</sup> & sixe pole, which l<sup>j</sup>ne rvns north fuet<sup>y</sup> fower degrees eastward, being a parrallel line to Douer l<sup>j</sup>ne; bounded on the east by hir son, M<sup>r</sup> Samuel Nowell, three hundred seventy six pole, w<sup>ch</sup> dividing line from Douer bounds runns north twenty fower degrees westward. The most northerly corner is a great pine, maked w<sup>th</sup> N. The most southerly bounds is a pine neare Chochecho Riuer, marked N. D. The west corner is a pine by the riuer side, marked N. The east corner is a great clapboard tree, marked N. D. This conteynes one thousand acres, all well bounded by marked trees.

M<sup>r</sup> Sam. Nowell's farme,  
1000.

Also, M<sup>r</sup> Samuel Nowell his farme, conteyn<sup>g</sup> one thousand acres, is bounded by Douer l<sup>j</sup>ne southward two miles long, the l<sup>j</sup>ne run<sup>g</sup> south fuet<sup>y</sup> fower degrees, westward by Negewonicke Riuer, on the east halfe a mile by his mother, Mr<sup>s</sup> Parnell Nowell, her farme, on the west side three hundred seventy six poles; the dividing l<sup>j</sup>ne betweene them rvns N. twenty fower degrees west, bo<sup>u</sup>nded by wildernes land, northward one hundred eighty six pole, and by M<sup>r</sup> Rauson his farme sixty two pole on the north east, w<sup>ch</sup> came to the most southerly corner of M<sup>r</sup> Rausons farme to a blacke oake marked w<sup>th</sup> B., and from the blacke oake it rvns in a direct line to Negewomick Riuer, as aforesajd; the most southerly corner is a great claboard tree marked S. N.; the west corner is a great pine, marked N, which pine stands about twenty pole westward of Shohomogocks Hill; the most northerly bounds is a red oake, marked N, which joyneth it to M<sup>r</sup> Rausons l<sup>j</sup>ne, on the west side of his farme; all which was surveyed and well bounded 3: 2 m, 1679.

By us, JONOTHON DANFORTH, Surveyor,  
JOHN EVENS.

A true platforme of the same is affixed to this schedule, & is on file.

The Court approoves of this returne, as attests

E. R., S.

[\*226.]

Ans<sup>r</sup> to Jn<sup>o</sup>  
Blany & Ralph  
Kings peti-  
tions, a hearing  
gr<sup>ie</sup>d in Octob.  
next.  
Ans<sup>r</sup> to Men-  
dons peti<sup>ti</sup>on.

\*In ans<sup>r</sup> to the peti<sup>ti</sup>ons of Jn<sup>o</sup> Blayno, & also of Ralph King, the power of the com<sup>i</sup>ttee appointed by the Generall Court, October 2<sup>d</sup>, 1678, is con-  
t<sup>i</sup>nued till the next session of this Court in October next, when the Court  
judgeth it meete to grant a hearing of this case, and all p<sup>er</sup>sons concerned are  
to take notice thereof & attend the issue.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of the inhabitants of Mendon, this Court doth



order, that the petiçoners request referring to the levying of publicke charges be in manner as they propound for three yeares next coming, and that all such as clayme interest in any lands therē, & doe not improove the same, shall pay towards all charges as though they did inhabit there, & make improvement thereof, in due & full proportion w<sup>th</sup> those that are resident; & for the like terme, they that doe there inhabit shall be freed for one single rate annually to the country, and all this on condition that they observe the order of such comittee as this Court shall impower. For the ordering the scittuation of their buildings, Joseph Dudley, Esq̃, Cap<sup>t</sup> Daniel Fisher, and M<sup>r</sup> Thomas Weld are appointed the comittee for that end, and are impowred also to take care that an able minister be settled there in convenient time.

1679.

30 May.  
Comittee there  
& their power.

In ans<sup>r</sup> to the petiçon of Nathaniel Jacob, who declaring <sup>^</sup> hath new evidence, the Court refers him to a due course of law by revejw, or de novo.

Ans<sup>r</sup> to Nath.  
Jacobs peti.

In ans<sup>r</sup> to the petition of Mary Willard, relict widdow of y<sup>e</sup> late Symon Willard, Esq̃, the Court judgeth it meet to grant the petiçoners request, provided that all the lands claymed by the sonn of the petiçoner be reserved, & not disposed of.

Ans<sup>r</sup> to M<sup>rs</sup>  
Mary Willard  
petiçon.

In ans<sup>r</sup> to the petiçon of Edw<sup>d</sup> Rishworth, it is ordered, that the Tresurer of the country pay vnto the sajd Edward Rishworth the sume of twenty pounds sixteen shillings & nine pence in money, w<sup>ch</sup> is eightene pounds fower shillings nine pence as p execution, & two shillings for the execution, & two pounds ten shillings the marshalls fees for serving the execution at Yorke, wherein there was two journeys for the marshalls deputy, provided M<sup>r</sup> Rishworth give his bond to the country Treasurer to repay the same some & specie backe to the Tresurer w<sup>th</sup>in six months; & the sajd Rishworth shall haue an order from this Court to the Tresurer & inhabitants of Yorkshire to pay the sajd Rishworth twenty povnds sixteen shillings nine pence money.

Courts order as  
to Edw. Rish-  
worts petition.

In ans<sup>r</sup> to the petition of Edward Cowell, it is ordered, that the comittee of militia in Boston examine his clajmes, & what they shall finde due to him to passe their cirtificats to the Tresurer for the payment <sup>^</sup> of who shall be ordered to pay the same, notw<sup>th</sup>standing the accompt was not clerered in time.

Ans<sup>r</sup> to Edw<sup>d</sup>  
Cowell's peti-  
çon.

\*In ans<sup>r</sup> to the petiçon of M<sup>rs</sup> Mary Russell, administratrix to hir daughter M<sup>rs</sup> Prudence Russell, relict of y<sup>e</sup> late Cap<sup>t</sup> Thomas Russell, the Court judgeth it meet to grant hir request, & accordingly impower hir, w<sup>th</sup> the advice of the honored Dep<sup>t</sup> Goũno<sup>r</sup>, Thō Danforth, Esq̃, M<sup>r</sup> James Russell, & M<sup>r</sup> Richard Wharton, to make sale of the s<sup>d</sup> houses, & wharfes, and lands, the giving bond to respond the orphans estate according to the order of the County Court of Midlesex.

[\*227.]

Ans<sup>r</sup> to M<sup>rs</sup>  
Mary Russells  
peti.



1679.

3<sup>d</sup> May.  
Ans<sup>r</sup> to Luke  
Hitchcocks  
peti<sup>o</sup>n.  
Ensigne of  
Springfeilds  
place voyd.

Courts act  
about shipping.

Courts act as  
to regimenall  
tray<sup>ng</sup>s.

Corne for coun-  
try rates to be  
brought into  
Charls Towne  
or Cambridg.

[\*228.]  
Ans<sup>r</sup> to Groa-  
ten peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of Luke Hitchcoke, the Court judgeth it meet to grant the peti<sup>o</sup>ner tenn pounds, in part to be payd forthwith by the country Tresurer, deducting the same out of Hadley account.

In ans<sup>r</sup> to the petition of Benjamin Cooly, ensigne to y<sup>e</sup> ffoote company at Springfeild, humbly desiring the favour of this Court to lay doune his place, being aged & deafe, the Court grants his request; and when another meet person is presented they will not be wanting to approve thereof.

The Court, by the returne of their comitte<sup>e</sup>, on their enquiry after the observance of the acts of trade & navigation, doe finde, vpon comparing of sajd acts of Parljam<sup>nt</sup> w<sup>th</sup> our lawes already enacted thereabouts, that due care therein is provided for the entry & returne of shipp<sup>s</sup> according to the acts of navigation, and to prevent defects in the due execution & observance thereof, judge it meete that it be referred to the honno<sup>ble</sup> Go<sup>v</sup>no<sup>r</sup> & council to imploy such persons in the se<sup>u</sup>rall ports as they shall see meet, and take such order as in their wisdome they shall judge necessary, that no fraud nor lapse be comitted whereby the country<sup>s</sup> credit & peace be endaingered, making such addition or alteration of officers fees as shall by them be judged necessary.

Whereas there hath binn a cessation of regimentall traynings for fower yeares past, in which time the regiments of Essex, Hampshire, Suffolke, & Norfolke should haue been draune forth, according to the direction of the law, hereby it comes to passe, that the regiment of Middlesex in course is to be draune forth this yeare, 1679, & Yorkeshire next yeare, which two regiments were the last excercised in that way, and hence it doth ffollow that these two regiments will be chardged with double traynings, & the other fower regiments aboue named but single,—the premisses considered, together w<sup>th</sup> the power, the Court doth order, that there be a cessation of regimentall traynings for two yeares, viz<sup>t</sup>, anno 1679, and afterwards the course prescribed by law to take effect and proceed as the law directs; and then in anno 1681, it will fall to the turne of Essex to be draune forth; & so the rest successively according to law.

In ans<sup>r</sup> to a motion made by some of the inhabitants of Middlesex, it is ordered by this Court, that henceforth the country Tresurer doe order those of that county to pay in their corne for country rates into some warehouse in Charls Towne or Cambridge, where it may <sup>^</sup> donne with least charge to the publicke.

\*In ans<sup>r</sup> to the peti<sup>o</sup>n of James Parker, in the name of the greater part of the inhabitants of Groaten, it is ordered by this Court, & the authority thereof, that for three yeares next coming in *in*, all levyes made for the benefitt of the said place and the maintenance of Gods ordinances there, those that

haue lands there, & are not resident vpon the place, shall pay rates for their lands as those doe that are resident, and the inhabitants there resident be abated one single rate p annū to the country for the like time, prouided that the catle vpon the place be liable to pay rates also.

1679.

30 May.

There hauing binn heretofore a constant allowance made to those that haue binn gennerall surveyors of country armes & affinition, which, since the death of the late & last honnored Tresurer, hath binn wholly suspended & omitted, for the better encouragement of him that is at present impowred in that worke, this Court doth order, that the Tresurer of the country forthwith pay, or cause to be paid, vnto the present surveyor the sume of twenty pounds for what is past, and from yeare to yeare to such as shallbe impowred in that worke, fve pounds p annū.

Mr Antho.  
Stoddard, gen<sup>l</sup>  
surveyors, rec-  
ompence 20<sup>li</sup>  
for w<sup>t</sup> is past &  
5<sup>li</sup> p<sup>r</sup> annu.

In ans<sup>r</sup> to the petition of Robert Earle, prison keeper, it is ordered, that the County Court of Suffolke do order the repaying of the prison in Boston so farr as there is neede, to make it safe and secure, and that the petiōner may, for the future, haue & receive halfe his sallery in mony, & that the augmenting of his sallery be refferred to the honnored councill to doe as they see meete; and for the discharge of all criminall persons it is left as the law doth state it.

Ans<sup>r</sup> to Rob<sup>t</sup>  
Earle prison  
keep<sup>r</sup>s petiōn.

Complaints being made, that through the misgouernment of the prison in this toune, & the confusion of bridewell w<sup>th</sup> the prison howse, the execution of justice & restraint of disorderly & rude persons is greatly obstructed, this Court doeth order, that prouission be made that they be in distinct places, at farther distance then now they be one from another, and that Mr Anthony Stoddard, Mr John Richards, & Mr John Joyliffe be a comittee to inspect the present state & condition of the sajd houses, and to consider of the best manner for the effecting what is meete to be donne therein, and to make returne to this Court; and it is ordered, that the comittee, &c.

Order ab<sup>t</sup> the  
prison keep<sup>r</sup> &  
y<sup>e</sup> prison.

\*The securing of our originall pattent being matter of great importance, and the former prouission in that respect made in the yeare 1664 being at an end by the decease of most of the persons betrusted in that order, this Court doth therefore order that the patent be forthw<sup>th</sup> sent for & comitted to our present honord Deputy Gouerno<sup>r</sup>, Cap<sup>t</sup> John Richards, & Cap<sup>t</sup> Daniel Fisher, with Majo<sup>r</sup> Thomas Clarke, one of the last comittee who are to take care of the same, to whose wisdome wee refferr it, to dispose of it as may best tend to prevent any inconvenience relating therevnto.

[\*229.]

Order about y<sup>e</sup>  
patent.

It is ordered, that the honord Thomas Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Goū, & Joseph Dudley, Esq<sup>r</sup>, Cap<sup>t</sup> John Richards, Cap<sup>t</sup> Lawrence Hamond, & Mr Stoddard be a comittee to propose to the next sessions of this Court what

Comittee for  
advan. of learn-  
i<sup>g</sup>, colledge &  
ministry.



tounes adjacent lands intended for home lotts, or thereabouts, which was accordingly granted by the tounes, to incourage the persons to bring in and sett their buildings on those particcular parcells or portions of lands which were sett out & measured to them, being about halfe an acre, or three quarters of an acre to a man, — now, for the full assurance of those portions of land to such persons as haue remooved, or are about remooving, & setling, building thereon, this Court doth order those persons which haue or ought to haue parted with their land, as abouesajd, hauing had or being tendered satisfaction from the towne, as aboue, they shall give deeds, and make legall confirmations of those smale portions of land vnto those persons who, in obedience vnto authority, haue them in actuall possession or in grant in order therevnto.

It is ordered, that the ballance of Hatefeild accounts for the dieting of the sixe garrison souldjers, brought in, & signed by the militia there, Daniel Warner, John Allis, Daniel White, amounting to forty nine pounds sixteene shillings & three pence, be payd by the Treasurē of the country.

1679.

30 May.

*\*Att a Gennerall Court, held at Boston, 15<sup>th</sup> of October, 1679.*

[\*231.]

15 October.

PRESENT, Symon Bradstreet, Esq̃, Goṽ.  
 Thomas Danforth, Esq̃, Dep<sup>t</sup> Goṽ.  
 Daniel Gookin,  
 Daniel Dennison,  
 W<sup>m</sup> Hathorne,  
 John Pynchon,  
 Edward Tyng,  
 Joseph Dudley,  
 Nath Saltonstall,  
 Humphry Dauy, Esq̃s.

FOR prevention of the profanation of the Saboath, & disorders on Saturday night, by horses & carts passing late out of y<sup>e</sup> tounes of Boston, it is ordered & enacted by this Court, that there be a ward, from sun set, on Saturday night, vntill nine of the clocke or after, consisting of one of the select men or constables of Boston, w<sup>th</sup> two or more meete persons, who shall walke betweene the fortification & the tounes end, and vpon no pretence whatsoeuer suffer any cart to passe out of the tounes after sun sett, nor any footeman or horseman, w<sup>th</sup>out such good account of the necessity of his



1679.

15 October.

buisnes, as may be to their satisfaction ; and all persons attempting to ride or drive out of toune after sun sett, w<sup>th</sup>out such reasonable satisfaction given, shall be apprehended, & brought before authority, to be proceeded against as Saboath breakers ; and all other townes are impowred to doe the like, as need shallbe.

Order to build  
w<sup>th</sup> bricke or  
stone.

This Court, hauing a sence of the great ruines in Boston by fire, and hazard still of the same, by reason of the joyning & neercness of their buildings, for prevention of damage & losse thereby for future, doe order & enact, that henceforth no dwelling house in Boston shallbe erected & sett vp except of stone or bricke, & couered with slate or tyle, on penalty of forfeiting double the value of such buildings, vnless by allowance & liberty obteyned otheruise from the magistrates, comissioners, & selectmen of Boston, or major parte of them. And, further, the selectmen of Boston are hereby impowred to heare and determine all controuersies about proprietjes and rights of any person to build on the land wherein now lately the housing haue been burnt doune, allowing liberty of appeale for any person greived to the County Court.

[\*232.]

\*Boston, 1679.

It is ordered by this Court & the authority thereof, that henceforth the selectmen of each toune take care that tything men be annually chosen in their seuerall precincts of their most prudent & discreet inhabitants, & sworne to the faithfull discharge of their trust (where no magistrate or comissioners are) before the sajd selectmen of the place. And the sajd tything men are required diligently to inspect all houses, licensed or vnlicensed, where they shall hate notice or haue ground to suspect that any person or persons doe spend their tyme or estates, by night or by day, in tipling, gaming, or otherwise vnprofitably, or doe sell by retayle, w<sup>th</sup>in doores or w<sup>th</sup>out, strong drinke, wine, ale, cidar, rumn, brandey, perry, matheglin, & w<sup>th</sup>out license ; and into such houses where such disorders shall by them be found they may & are hereby required & impowred to enter into and make search in their cellars or any other places w<sup>th</sup>in or about the same where they may suspect or haue notice that wines, strong beere, ale, cidar, perry, matheglin, rumme, brandy, &c, are lodged ; and in case they shall finde any quantitjes of either, whereof the ouno's doe not give sajd tything men a satisfactory account of their hauing the same, any three of them agreeing, they shall, by warrant from any magistrate or comissioner invested with magistratticall power, or where no magistrate is w<sup>th</sup>in fve miles of the place, they shall, w<sup>th</sup>out warrant, requiring the ayde of the constable, seize, carry away, & secure all such

wines, strong beere, ale, cider, perry, matheglin, rumn, brandy, &c, and present an account thereof, w<sup>th</sup> the names of the persons from whom they tooke it, to the next magistrate or the co<sup>m</sup>missioner of the toune, where any be that are invested w<sup>th</sup> magistratticall power, who may & are heereby impowred to proceede against sajd delinquent partjes, & dispose of sajd wines, strong beere, &c, as to them shall seem meet; and if for value more then tenn pounds, they are then to bynd the sd partjes ouer to the County Court, to be there proceeded against as the law directs; in all which cases full recompence shall be made to the tything men & other officers for all their care, trouble, & expences in seazing & securing sajd goods; & the remainder of the goods seized, or value thereof, where the magistrate, County Court, or Co<sup>m</sup>mission<sup>r</sup>s Court, that haue the orderly cognizance thereof, shall not see reason to returne the same to the partjes from whom it was taken, the same shall be put into the county treasury.

1679.

15 October.

\*Also, the tythingmen are required diligently to inspect the manners of all disorderly persons, & whereby more private admonitions they will not be reclaymed, they are, from tyme to tyme, to present their names to the next magistrate or co<sup>m</sup>missioner invested w<sup>th</sup> magistratticall power, who shall proceed against them as the law directs; as also they are, in like manner, to present the names of all single persons that liue from vnder family goverment, stubborn and disorderly children & servants, night walkers, typlers, Saboath breakers, by night or by day, & such as absent themselues from the publicke worship of God on the Lords dayes, or whateuer the course or practise of any person or persons whatsoever tending to debauchery, irreligion, prophaness, & atheisme among us, wherein by omission of family gouernment, nurture, & religious dutjes, & instruc<sup>o</sup>n of children & servants, or idlenes, profligat, vn-civill, or rude practises of any sort; the names of all which persons, w<sup>th</sup> the fact whereof they are accused, & wittnesses thereof, they shall present to the next magistrate or co<sup>m</sup>missioner, where any are in the sajd toune invested w<sup>th</sup> magistratticall power, who shall proceed against and punish all such misdemeano<sup>r</sup>s by fine, imprisonment, or binding ouer to the County Court, as the law directs.

[\*233.]

Tythingmens  
duty.

Whereas yow, A B, are chosen a tythingman w<sup>th</sup>in the toune of D for Tything mens  
one yeare, & vntill others be chosen & sworne in your roome & stead, yow oath.  
doe here sweare by the living God that yow will diligently endeavour, and to the vtmost of yo<sup>r</sup> ability performe and intend, the duty of yo<sup>r</sup> place according to the particulars specified in the lawes peculiar to yo<sup>r</sup> office. So help yow God.

1679.

15 October.  
No debt made  
by ordinary  
keeper's allow-  
able to be p<sup>d</sup>.

It is heereby ordered, that henceforth no ordinary keeper shall haue any action or recouer any debt that shall heereafter be made by any inhabitant for any sort of drinke or liquo<sup>r</sup> sold to such inhabitants, and that the sajd ordinary keeper, besides the loosing of his debt, shall, vpon conviccion before any magistrate or persons authorized in such case, forfeitt the sume of fiue shillings in mony to the county where the fact is comitted for euery such offence or act.

Order to prevent  
souldiers  
escape of duty.

This Court, being informed that many persons doe not appeare and attend military excercises in the places to which they did of long time belong, & being called vpon for their defectts, give answer that they are remooved, when indeed, being young men & vnwilling to be confined to any certeine place, they moove backward & forward, & so performe duty at no place, doth heerby order & enact, that when any person is entred & belongs to the military company in one toun, he shall not be at liberty or escape duty in sajd place till he bring a certifficate from the cheife officer of the place to which he remooues to the cheife officer of the place from whence he remooved that he is entred in their list, and taken notice of as one of their oune men, so that \*he may be in a way of duty, and vtill that time the remoover to be liable to duty in his first place, & to satisfy, by distresse or suite, the demands of the comānder or clarke according to proportion of former lawes.

[\*234.]

Order declar-  
ing w<sup>t</sup> is an  
alarum by day.

Whereas there is no declaration made by this Court what shall be taken for an alarum in the day time, and by reason of the variety of occasions the signalls prescribed for a night alarum would be full of vnberteintyes in the day, especially to neighbour townes, it is ordered, that, besides the abouesajd signes, or some of them, given in the place where the alarum is first taken or made, there shall be messenger or messengers sent to the neighbour townes by the comitte of militia, or some of them, & directed to y<sup>e</sup> comitte of militia, or some of them, whence assistance is desired. Crying 'Arme, arme,' &c, shall be an alarum to all such places, and therevpon all the souldiers of that toun shall be bovnd immediately to repaire to their colours, and then attend further orders, sent by writing or by word, by a sufficient messenger; and all this vnder the pœnalty of fiue pounds a man for euery defect.

Order for col-  
lectors to re-  
quire 12<sup>d</sup> p<sup>r</sup>  
tunn for all  
vessells aboue  
12 tunn to-  
wards fortifica-  
tions.

It is ordered by this Court & authoritje thereof, that all shippes, & other vessells aboue twelue tunn, that trade w<sup>th</sup>in our ports, (except the confederates of this colony,) belonging to other places, or that the greater part of the oouno<sup>r</sup>s thereof are not inhabitants of this iurisdiccion, shall pay one shilling in money for euery tun of burden they are off euery voyage they make hither, towards prouissions for publicke ffortifications, w<sup>ch</sup> is to be pajd to M<sup>r</sup> Paul Dudley for y<sup>e</sup> ports of Boston & Charls Toun, M<sup>r</sup> Hilliard Veren,



Señ, for Salem & Marblehead, & M<sup>r</sup> Richd Martyn for Piscatqua, or to whom they shall depute vnder their hands; and in case the ship master or comānders of any such ships or vessells shall refuse, vpon demand, to pay the same, it shallbe lawfull for the sajd gen<sup>l</sup>, or any of them, to send forth their warrants to any marshall or constable to distreine for the same, w<sup>th</sup> the charge thereof, vpon the goods of such master or comānders, or any one of the appurtenances of their vessells; and the gentlemen aboue appointed shallbe accountable to the Gennerall Court when called therevnto for what they shall receive by virtue of this order, and are to deliuer the money they haue in their hands, once euery yeare, or oftener, vnto the survejo<sup>r</sup> gen<sup>l</sup>ll, excepting one shilling out of euery twenty shillings they shall receive, which shall be allowed them for defraying their necessary charges thereabouts.

1679.

15 October.

\*It is ordered by this Court & the authority thereof, that the law w<sup>th</sup> respect to ministers reading the lawes respecting the Saboath once in the yeare, publickly, vpon the Lords day, be henceforth repealed; and it is further ordered, that the constable or toune clarke of each toune performe the same vpon some publicke meeting of the inhabitants.

[\*235.]

Order as to the reading & publishing y<sup>e</sup> laws of y<sup>e</sup> Saboath yearly.

Vpon complaint from seuerall comānders of the trajne bands that their drummers refuse to attend their duty, and will lay doune their places vnless hired, & that too at vnreasonable rates, this Court doth therefore order, & be it hereby ordered and enacted, that any drvm<sup>r</sup> now in place or belonging to any of the companyes in this jurisdiction that shall desert the sajd service, or lay doune his place during his abode in the toune, vnless regularly dismissed p the cheife officer or officers of the company, or in case of just complaint by the County Court, shall forfeit forty shillings in mony, to be levyed by the clerke, by warrant from the cheife officer of sajd company; and for future it shall be in the power of the comission officers of each company to nominate & choose out of their oune company any meete person or persons to serue as a drum<sup>r</sup>, and if any shall refuse to accept the place & attend the service, or desert the service, vnless regularly dismissed as aboue, he shall pay forty shillings in money to the vse of the company, to be levyed as aboue; and all drummers so chosen & serving shall be allowed ten shillings p annū, in case the company finde & majntejne the drum<sup>r</sup>, or twenty shillings p annū, if he majntejne the dru<sup>m</sup>e, w<sup>ch</sup> shall be deliuered to him in good repajre. All persons chosen drummers agreiued haue liberty to make their complaint to y<sup>e</sup> County Court for releife.

Law abt chojce of drummers.

Whither, when a case is comitted to a jury, they ought not to bring in their verdict vpon the merri<sup>t</sup> of the case, w<sup>th</sup>out euading the issue vpon any

Resolution of a quæst.



1679. circumstance in way of barr, or non suite pleaded, if it be not allowed by the judges of the Court att the time.

15 October.

The Court resolves this question on the affirmative.

Law<sup>a</sup> & weights  
& measures.

As an adition to the law, title Weights & Measures, this Court doeth order, that the country Treasurer doe prouide, vpon the country chardge, these further brass weights ffollowing, viz<sup>t</sup>, one seven pound weight, one fowerteene pound weight, one twenty eight pounds, & one fucty sixe pounds, which shallbe after sixteene ounzes to the pound, w<sup>th</sup> fitt scales & steele beame, to weigh and try w<sup>th</sup>all; and the constables of euery tounc w<sup>th</sup>in this jurisdiction, where such weights are frequently vsed, shall, w<sup>th</sup>in sixe months after publication hereof, prouide, vpon the tounes charge, all such weights, at least \*least of lead, to be trjed & sized by the country standards, & sealed, kept, & vsed in the seucrall tounes as standards, & improoved by y<sup>e</sup> select men & constables as the law directs for smaller weights.

[\*236.]

Result of y<sup>e</sup>  
synod to be  
printed.

This Court, hauing pervsed the result of the late synod of Septemb, 1679, doe judge it meete to comēd the same to the serious consideration of all the churches and people in this jurisdiction, hereby enjoyning and requiring all persons in their seucrall capacitjes concerned to a carefull and diligent reformation of all those provoking evils mentioned therein, according to the true intent thereof, that so the anger and displeasure of God, which hath binn many wayes manifested, maybe averted from this poore people, and his favour and blessing obteyned, as in former tjmes; and for this end hath ordered the same to be printed.

Comitte to re-  
vise y<sup>e</sup> lawes.

Vpon pervsall of the result of the late synod, wherein they seeme to intimate, at least, as if there were some doubt concerning some of our lawes, whither they were sufficiently warranted by the word of God, and other lawes not so well worded as may be effectuell to the end intended, or honno<sup>r</sup>ble to this Court, as also some may be wanting to the ends therein conteyned, it is therefore ordered, that the honored Thomas Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>, Joseph Dudley, Esq<sup>r</sup>, Cap<sup>t</sup> John Richards, M<sup>r</sup> Anthony Stoddard, & Cap<sup>t</sup> Daniel Fisher be a comitte to consider our lawes already made, that may neede emendation, or may not so clearly be warranted from the word of God, and to draw vp such lawes & orders as, being presented by them at the next Court of Election, may then be considered, and, vpon mature deliberation, be confirmed, which this present Court cannot haue time to doe.

Comitte to  
take y<sup>e</sup> Trests  
accounts.  
The Tresurers  
abstract of his  
accounts  
brought into y<sup>e</sup>  
Court was d<sup>d</sup>  
to y<sup>e</sup> comitte  
p<sup>r</sup> E. R., S.

Humphry Davy, Esq<sup>r</sup>, M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> John Richards, Cap<sup>t</sup> Daniel Fisher, and M<sup>r</sup> James Russell are appointed a comitte to examine the Tresurers accounts forthwith, and, if possible, to make returne of what they finde to this present session, or, if otherwise, to the next Court of Election.

It is ordered, that there be one single country rate this yeare, payd in corne, at price as last yeare, & one halfe rate more in money. 1679.

The Court, hauing read the retorne from Portsmouth & Great Island, & Cap<sup>t</sup> Daniels answer to the Islanders, doe heereby approoue & allow the same, & that the agreement being fulfilled, the inhabitants of Great Island shallbe at liberty to provide for themselues & transact publicke affayres of that place as haue respect to the ministry amongst themselues.

15 October.  
A single rate  
in corn & half  
rate in mony  
this yeare.  
W<sup>ch</sup> are on file.  
Great Islands  
liberty to haue  
a minister  
there.

\*In answer to the petition of Rowley, refferring to a council for settlement of their differences, this Court doth order, that the churches of Ipsuich, Newbery, Hampton, Hauerill, who were formerly, by their elders & messengers, vpon the place, together w<sup>th</sup> the messengers of the three churches of Boston, the church of Salem, Beuerly, & Portsmouth, be written vnto by the secretary, in the name of this Court, to assemble at Rouley on the second Wednesday in November, to giue their solemne advice & issue to the sajd differences, as God shall direct, and make retorne to the next Gennerall Court.

[\*237.]  
A councill of  
church<sup>s</sup> to be  
at Rowley 19  
Nov<sup>r</sup>.

In answer to the petition of M<sup>rs</sup> Margaret Thatcher, relict of y<sup>e</sup> late Ref<sup>end</sup> M<sup>r</sup> Thomas Thatcher, it appearing that the sajd M<sup>rs</sup> Margaret Thatcher, by paying a valuable summe to the heires of the late M<sup>r</sup> Thomas Thatcher, hath purchased to himself the whole remayning right to his estate, which she feares may be deteyned or hiden by the sajd heires, or their order, the Court judgeth it meete to referr it to the next County Court for Suffolke to heare hir complaints, and to examine all partjes that may be concerned therein, by interrogatorjes or otheruise, that no part of the peti<sup>ti</sup>oners due right be w<sup>th</sup>held from hir.

Ans<sup>r</sup> to M<sup>rs</sup>  
Margaret  
Thatchers peti-  
tion.

The council, for sundry weighty reasons, hauing ordered the County Court in course at Hampton to be held this next session at Salisbury, this Court, hauing binn enformed thereof, doe judge sajd act to be legall, and all parties concernd are accordingly enjoyned to attend the same.

Hampton  
Courts adjor<sup>nt</sup>  
to Salisbury.

In ans<sup>w</sup> to the petition of Mary Salter, widdow, the Court judgeth it meet to refer hir case to the County Court of Suffolke to remitt the fine, or so much thereof as they judg fitt.

Ans<sup>r</sup> to Mary  
Salters peti<sup>ti</sup>on.

The Covnty Court for Suffolke is adjourned to the first Tuesday in November next.

County Court  
of Suffolke ad-  
jour<sup>nt</sup>.

In the case betweene Thomas Tare, plaintiff, & Isaac Waldron, deffendant, this Court sees cause to confirme the judgment of the County Court at Portsmouth, that the sajd Isaac Waldron pay to the sajd Thomas Tare seventeene povnds tenn shilling, in mony, damage, as also that the sajd Waldron pay more to the sajd Tare, fouer pounds, in mony, for his

Tare ag<sup>t</sup> Wal-  
dron.

1679.

15 October.

[\*238.]

Courts judgment inter Major Tho. Sauage & Samuel Apleton, Jun.

vnjust imprisonment, & costs of Court, i. e., nineteene pounds; in all forty pounds.

\*This Court, hauing heard & considered the case betweene Major Thomas Sauage, of Boston, plaintiffe, & Samuel Apleton, Jun, deffendant, doe judge that Samuel Apleton shall haue & remajne in possession of three quarters of the land & iron works in controuersie, vnless it shall appeare that his proportion is more then his part according to purchase, then Major Sauage to be allowed accordingly, prouided the sajd land so possess by Samuel Apleton shall stand obleidged to respond what Major Sauage may suffer from Bex & Company, as assignee, proportionably to the whole possessed by Major Sauage & Apleton, & y<sup>t</sup> y<sup>e</sup> tenn povnds for hearing the case be æqually paid betweene them.

Marshall & Pepins case.

On a full hearing of the case brought to this Court, by petition, from Benjamin Marshall, plaintiff, against Samuel Pepin, deffendant, this Court judgeth for the plaintiffe sixe pounds damage, money, and costs of all Courts, twenty three pounds 2<sup>s</sup>, in all twenty nine pounds two shillings, in money; and doe order, that henceforth the sajd Pepin shall and hereby is restreyned from cutting any timber vpon the farme but what is necessary for vse vpon the same.

Courts judgment inter Ong & Fuller.

In the case betweene Jacob Ong & Jn<sup>o</sup> Fuller, this Court doth order and decree, that the sajd Jacob Ong shall haue & enjoy the lands in controvsy to him & his heires for euer, vnless the sajd Fuller doe, w<sup>th</sup>in two moneths, pay vnto sajd Jacob Ong, or his order, sixty pounds, forty pounds whereof to be in currant money of New England, & twenty pounds in corne & catle, at indifferent prizes, to be valued by indifferent men, & y<sup>e</sup> deffend<sup>t</sup> to pay y<sup>e</sup> costs, i. e., eleven pounds twelue shillings & sixe pence.

Lient. Govr, Courts judgment as to Mr Symonds estate & administration.

This Court, hauing heard the pleas & allegations of Mr Epps & Mr Harlakenden Symonds on the one part, & Mr Jonathan Wade on the other part, refferring to the settlement of the estate of Mr Samuel Symonds, late Dep<sup>ty</sup> Go<sup>vr</sup><sup>no</sup>, doe order & determine, that Mr Epps, Mr Harlakenden Symonds, & Mr Richard Martjn be administrators to the estate of the sajd Mr Samuel Symonds, and that they pay and sattisfy all legatjes & bequests in the sajd will, according to the true meaning & intent thereof, referring to the widdow & other legatees, & that the farme Argilla & the remayning part of the sajd estate shall be diuided amongst the children of the sajd Mr Samuel Symonds, viz<sup>t</sup>, to Mr Herlakenden Symonds a double portion, to M<sup>rs</sup> Epps, M<sup>rs</sup> Martyn, M<sup>rs</sup> Emerson, M<sup>rs</sup> Baker, & the widdow of W<sup>m</sup> Symonds, for hir children, a single share; and because Mr W<sup>m</sup> Symonds, or his admistrators, may haue paid some of the bequests of the sajd will, it is therefore ordered, that the



sajd administrators hereby constituted, i. e., Mr Epps, Mr Herlakenden Symonds, & Mr Richard Martyn, shall repay & satisfy out of the sajd estate so much as hath beene disbursed by the sajd Mr W<sup>m</sup> Symonds for Mr Wade, for any disbursments by them, or either of them, made, for the defraying of the seuerall expenses, payment of debts, legacies, or other disbursments made for the fullfilling of the aboue sajd will of the late Dep<sup>t</sup> Goūno<sup>r</sup>; & this order to be a fynall issue of this controūsy.

1679.

15 October.  
10<sup>th</sup> p<sup>a</sup> by Mr  
Epps for hear-  
ing y<sup>e</sup> case.

\*In ans<sup>r</sup> to the petition of Cleoment Grosse, the Court grants his requests — liberty to sell his oune lands.

[\*239.]

Ans<sup>r</sup> to Clem<sup>t</sup>  
Grosse peti-  
con.

In the case betweene Mr Ralfe King, in the behalfe of the children of his sister, Hanna Blayno, & John Blayno, concerning a farme giuen to Hannah, his wife, & her heires, this Court doe determine, that the sajd John Blayno haue the vse and occupation of the sajd farme during his life, prouided the sajd Blayno shall make no strip & wast, but shall keepe vp the buildings & fences in good repayre, and shall make no other vse of the wood or tjmber grouing vpon the sajd farme, saue only for the necessary uses of the sajd farme for building, fencing, or firewood, but shall not carry of the sajd farme any of the wood or timber growing thereon; and it is farther ordered, that Mr Ralph King to be instead of ouerseer, and is heereby impowred in behalfe of the children of the sajd Blayno, to sue by a writt of wast any stroy or wast that shall be made in any respect vpon the sajd farme.

Courts judg-  
ment inter  
King & Blay-  
no.  
4<sup>th</sup> to be p<sup>d</sup> for  
hearing y<sup>e</sup> case,  
& was by  
Ralph King.

Vpon the motion & request of sundry of the inhabitants of Salem Village, called the farmers of Salem, touching the continuance and maintenance of their p<sup>s</sup>ent minister. Whereas the inhabitants of this place being therevnto authorized by this Court, with the consent of the church and toune of Salem, to call a minister to preach the word of God to them; and forasmuch as they haue called Mr Bayly to be their preacher, who hath for about six yeares beene among them, & hath the testimony of the church of Salem, & seuerall others, testified, vnder their hands, that he is orthodox, & competently able, & of a blameless & selfe denying conversation; and it also appeares, vnder the hands of about thirty householders of that place, who are the greatest number of the inhabitants, that they are very desirous of his continuance and settlement among them as their minister, & that a comfortable maintenance be allowed him for the support of himselfe, wife, & children, that so he may the better attend his ministry w<sup>th</sup>out distraction. In answer to this motion this Court doe order, that Mr Bayly be continued & settled the minister of that place, and that he be allowed sixty pounds p annū for his maintenance, one third part thereof in mony, the other two thirds in prouissions of all sorts, such as a family needs, at æquall prizes, & fuell for his familys occasion,

Courts judgm<sup>t</sup>  
& order as to  
Salem Vil-  
lagers ab<sup>t</sup>, &c.,  
Mr Bayly.



1679. this sume to be payd by the inhabitants of that place; and the said inhabitants  
 15 October. are to choose three or five men among themselves to proportion euery mans  
 share according to æquity; and if they cannot agree to choose men to make  
 the said rate, then the Court doe heereby appoint M<sup>r</sup> Batter, Cap<sup>t</sup> John  
 Coruin, and Cap<sup>t</sup> Price, of Salem, to make the said rate vpon the said inhab-  
 itants in the most æquall way; and if any person shall neglect or refuse to  
 pay their proportion according to the rate determined, the constable of the  
 place, or marshall of that county, are heereby impowred to levy the same by  
 distresse, and all the rate is to be payd in for the vse of the minister vnto two  
 [\*240.] persons chosen by the householders, \*to supply the place of deacons for the  
 time, who are to rec<sup>o</sup>n w<sup>th</sup> the people, and to deliuer the same to the said  
 minister, or to his order; and this settlement to continue vntill this Court  
 take further order, or that there be a church of Christ orderly gathered &  
 aprooved in that place, then the chojce of the minister and officers doth revolve  
 vpon them according to law; provided this order shall continue for one yeare  
 only from the last of September last past, and in the meane while all partjes  
 endeavour an agreement in him or some other meete person for a minister  
 among them; provided also, that the sd ffarmers pay five pounds for hearing  
 the case, the whole number of villagers æqually to beare their proportion  
 thereof.

Ans<sup>r</sup> to Mary  
 Lyndons peti-  
 çon.

In ans<sup>r</sup> to the petition of Mary Lyndon, wife to Augustin Lyndon, hum-  
 bly desiring the favour of this Court to consider her poore, desolate, and dis-  
 tressed condition, & to set hir free from that marrjage relation in which she  
 now stands to hir said husband, since he hath in so many particulars broken  
 couenant w<sup>th</sup> her, & that yow will be pleased to settle vpon her & her children  
 the said two thirds parts of the said land, and that smale matter that now  
 remajning in Deacon Allens hands; so shall she euer pray, as in duty bovd.  
 The Court, hauing heard hir case, doe declare the petitioner, Mary Lyndon,  
 to be freed from hir former husband, Augustin Lyndon, and at liberty to  
 marry another man; and doe further grant, that the land mentioned in the  
 petiçon, and the estate in Deacon Allens hands, be deliuered to the sayd Mary  
 for her & hir childrens vse, till the County Court shall take further order.

Mary Lindons  
 divorce.

40<sup>s</sup> p<sup>d</sup> for hear-  
 ing y<sup>e</sup> case, 18  
 Octo., 79.

Mary, late wife of Augustin Lyndon, humbly desires to acknowledge the  
 great favour of this honnor<sup>ble</sup> Court that they haue binn pleased to sett hir at  
 liberty from that marriage relation in which shee stood to hir late husband;  
 and also, as she is informed, this Court haue ordered her the vse of the peece  
 of land mentioned in the petition, and all other the goods & moneys in Deacon  
 Allens hands, vntill the County Court take further order. The said Mary,  
 being thicke of hearing, did not rightly vnderstand D<sup>r</sup> Cookes information,

intimating the remaines of mony left in Governo<sup>r</sup> Leuerets hands were deliuered to Deacon Allen, but now she vnderstands, i. e., that tenn pounds remaines in Madam Leuerets hands. Now, the sajd Mary, desiring to be freed from any future trouble relateing to the sajd Lyndon, or any of his, doth humbly pray, first, that that smale estate which she hath earned & gott together during the time of hir late husbands absence may be setled vpon hir and hir heires and assignes for euer; secondly, that forasmuch as the sajd smale peece of land willbe of litle or no advantage w<sup>th</sup>out it be built vpon may be hers, and the sajd mony, and all other estate in Madam Leuerets hands & Deacon Allens hands, may be freely given to hir, the Court \*grants hir requests herein, and doe also confirme the land petitioned for to hir, the sajd Mary, the late wife of Augustin Lyndon, now Mary Sanderson, for hir life, and to hir heires for euer; and it is ordered, that the late wife of Augustin Lyndon, now diuorced by this Court, shall receive the sajd svm, being tenn pounds, in M<sup>rs</sup> Leuerets hands, and this order shallbe a sufficient warrant to M<sup>rs</sup> Leueret to pay the same, & hir receipt shallbe a sufficient dischargdge from Augustin Lyndon, or his heires, execcuto<sup>r</sup>s, or assignes.

1679.

15 October.  
Ans<sup>r</sup> to Mary  
Sandersons ad-  
dresse, &c.

[\*241.]

In ans<sup>r</sup> to the petition of Mary Armitage, of Boston, widdow, the Court judgeth it meete to referr this petiçõner to the next County Court for Suffolke, who, vpon a hearing of all partjes, may & are impowred to determine therein what they judge necessary.

Ans<sup>r</sup> to Mary  
Armitage peti-  
çon.

In ans<sup>r</sup> to the comittee of militia in Salem, the Court judgeth it meete, that the comittee of militia for Salem doe sufficiently repajre the fortifications of sajd toune, which being donn & approoved of by such as this Court shall appoint to vejw the same, they will then make allowance as they shall see meete.

Ans<sup>r</sup> to the  
comittee of mi-  
litia of Salem  
as to fortifica-  
tions there

In pursuance of our duty, according to the Gennerall Courts order bearing date May 28, 1679, hauing on the 11<sup>th</sup> August heard the pleas of partjes concerned, and binn vpon the place to vejw it, make our report as followeth: 1<sup>st</sup>. That the present battery at Charls Toune is out of repajer, and insufficient as to the matter of it, and especially it is obstructed in the vse of the gynns for the deffence of the toune, and country, & harbour, which is occasioned by the building of wharfes, and houses intended vpon them, farr w<sup>th</sup>out the battery, vpon the flatts towards the channell. Secondly. Wee judge it necessary, to make the battery serviceable, that it be built out w<sup>th</sup>out the vtmost wharfe now standing vpon the flatts, and that the Gennerall Court will please to make an order to prohibbit any proprjeto<sup>r</sup> on either side of the battery to build wharfe or house w<sup>th</sup>out the battery, towards the channell, w<sup>th</sup>out

Battery at  
Charls Toune.

1679.

15 October.

leane of the Gennerall Court. Thirdly. Wee conceive it is just and necessary for the accommodation of the battery, and that it is agreeable to justice and righteousnes, that the full breadth of the battery, as it now stands vpon the land side, bounded on the north east w<sup>th</sup> John Tosdicke, and on the south west w<sup>th</sup> M<sup>r</sup> Ballat, w<sup>th</sup> battery hath bin planted about forty yeares, bee continued in streight lines from northwest to south east, w<sup>th</sup> a highway of twelve ffoote wide betweene the forementioned proprieto<sup>r</sup>s and the battery, vnto the channell; and if any proprieto<sup>r</sup> be intrrenched vpon for the highway, the toun shall satisfy for it. 4<sup>th</sup>. Wee humbly propose to the honno<sup>ble</sup> Genne<sup>ral</sup> Court, that they will please to allow to Charls Tounne one single country acre of their own tounne towards the new building of the aforesaid battery, ~~granted by the Court & w<sup>th</sup> a full time to be repaid~~ otherwise this allowance to be repayd to the Tresurer.

DANIEL GOOKIN,  
ANTHONY STODDARD,  
JOHN RICHARDS,  
THO: BRATLE.

Courts order &  
allowance of y<sup>e</sup>  
committees re-  
turne.

It is ordered, that when the worke aboue mentioned is finished, a co<sup>m</sup>it-tee from this Court be appointed to vejw the same; and on certificate that the worke is well and sufficiently donn, some part of their disbursment shall be allowed by the Tresurer, as the Court shall then order; & that the worke be finished w<sup>th</sup>in twelue months; and in all other respects the Court do ap-approve of the co<sup>m</sup>ittees returne; and in meane time no abatement to be made them of their rates.

Aust to Han-  
nah Haughs  
petition

In answer to the petition of M<sup>rs</sup> Hannah Haugh, widdow of M<sup>r</sup> Samuel Haugh, it is ordered, that Joseph Dudley, Esq<sup>r</sup>, Cap<sup>t</sup> John Richards, & Cap<sup>t</sup> John Hull be a co<sup>m</sup>ittee, & are hereby impowred to examine the account of debt & credit & the inventory of the estate, and to consider what may best, ~~without damage to the estate, be repaid to the said M<sup>rs</sup> Haugh~~ layd out vpon the estate, and that they treat with the partjes concerned therein, and make returne to the next session of the Gennerall Court.

Courts sentenc  
on Edward  
Crooke & his  
family relating  
to y<sup>e</sup> fire, &c.

Whereas the persons hereafter named are vnder vehement suspicion of attempting to burne the tounne of Boston, & some of their endeavours pre-vented to the burning of one house, & onely by good Prouidence prevented from further damage, this Court doeth order, that Edward Crooke & Deborah, his wife, Hepsibah Codman, John Avis, John Earle, Samuel Dogget, Wil-lyam Penny, Richard Heath, Symon Jarman, & James Dennis shall, w<sup>th</sup>in twenty dayes, depart this jurisdiction of the Massachusetts colony; and in



case of the returne of any of the abovesajd persons w<sup>th</sup>out license first had from the Governor & Council, such offenders shall be confined to close prison untill they pay the sum of twenty pounds in money, & give good security to depart this jurisdiction, and not returne againe contrary to this order; and that who-soever shall hereafter entertaine any of the abovesajd persons shall for every such enterteynement of them, or any of them, contrary to this order, pay the sume of fiftie pounds in money, the one halfe of the fines aboue to be to the enformer; and that all the aboue sajd persons shall be kept in prison untill their departure, and that a copy of this order be sent to each toune, and published by the constable at some publicke meeting; provided, if w<sup>th</sup>in the tyme prefixed for their departure any particular person or persons amongst them be convicted of the fact in the judgment of the council, then this order to be suspended till the Court take further order.

1679.

15 October.  
Prouission in  
case.

\*In ans<sup>r</sup> to the petition of Beuerly, this Court doe grant them an hearing of their case at the next Court of Election, on the first Mynday of that session, they giving notice to the toune of Wenham of this act.

[\*243.]

Ans<sup>r</sup> to Beurly  
petiçon.

In ans<sup>r</sup> to the petiçon of the troopers in Boston, hvmblly desiring the favor of this Court to remitt their fines for their not appearance in their arme at y<sup>e</sup> time of the late alarm, the Court judgeth it meet to grant their request; and the like remission was granted to Charls Toune, Water Toune, Roxbury, Dorchester, & to Mr W<sup>m</sup> Bartholmew, & those y<sup>t</sup> petitioned w<sup>th</sup> him.

Ans<sup>r</sup> to Boston  
troopers peti-  
con.

In ans<sup>r</sup> to the petition of Steven Butler, the Court judged it meet to grant a hearing of this case on Tuesday next, at eight of the clock in y<sup>e</sup> morning, & that the secretary give notice to all partjes.

Courts judg-  
ment in But-  
lers case.

On a full hearing of the case brought by petition from Steven Butler, plaintiffe, against Willjam Hollowell, Benjamin Hollowel, and Edward Ashley, deffendts, this Court judgeth it meete to reuerse the judgment of the last Court of Assistants, and to confirm the settlement of the County Court in Boston ordering the chym halfe of the estate of the late Benjamin & Mary Wood, as therein is expressed, to be delivered unto the sajd Butler, and be to him & his heires foreuer, granting the sajd Butler his costs, & of the Court of Assistants, ten pounds.

In ans<sup>r</sup> to the petition of the selectmen of Salem, the Court judgeth it meete to grant their request, a hearing of their case on the first Monday of the next Court of Election after Beuerly case, then to be trjed, they giving notice to the toune of Wenham.

Ans<sup>r</sup> to select-  
men of Salem  
petiçon.

In ans<sup>r</sup> to the motion of the inhabitants of Braintry, Cap<sup>t</sup> Richard Bracket is hereby appointed to joyne persons in marriage in the toune of

Cap<sup>t</sup> Rich<sup>d</sup>  
Bracket im-  
powred to  
marry, &c. and  
take oaths in  
Braintry.



1679. Braintry, being duly published according to lawe; as also to administer oathes in ciuil cases.

15 October.  
Ans<sup>r</sup> to Elisa.  
Hamon peti-  
cion.

In ans<sup>r</sup> to the petition of Elizabeth Hamond, relict of Thomas Hamond, lately of Cambridge Village, humbly desiring the favor of this Court, that she may be enabled to passe deed, & receive deeds for exchāing of lands, &c, the Court judgeth it meet to impower the sajd Elizabeth Hamond, in hir husbands name, to passe deeds to Nathaniel Hamond to performe the exchange mentioned in the petiçon.

[There are no pages \*244—\*248.]

[\*249.]

Ans<sup>r</sup> to Tho.  
Fuller & Dan-  
iel Andrews  
petiçon.

\*In answer to the petition of Thomas Fuller and Daniel Andrews, of Cambridge Village, the Court judgeth it meete to declare, that the farmers of the village, & other their inhabitants, are to attend the lawe regulating voters in this & all other cases, as other townes are enjoyned to doe; the second question is answered in the former grant, to which they are referred.

Left & ensigne  
for Hampton.

Whereas the military company in Hampton is destitute of a leiftenūt, this Court doth order, that Ensigne John Samborne be leiftenn<sup>t</sup>, and Sarjant Thomas Philbrick be ensigne, & that comissions be granted to them accordingly.

M<sup>r</sup> J<sup>n</sup>e Phillips  
ensigne of  
Charls Towne.

M<sup>r</sup> John Phillips, of Charls Towne, is appointed ensigne to the military company at Charls Towne, & comission to issue forth accordingly.

Brayntrys lib-  
erty to lay out  
their 6000  
acres, &c.

In ans<sup>r</sup> to the petition of the inhabitants of Braintry, the Court allowes the petiçoners to lay out their sixe thousand acres of land in any vacant place in our jurisdiction.

Courts confir-  
mation of Sa-  
lem Courts act  
as to y<sup>e</sup> settle-  
m<sup>t</sup> of Cap<sup>t</sup> La-  
throps estate.\*

The act of the County Court at Salem, 27 June, 1676, being presented to this Court, determining the settlement of the estate of the late captaine Lathrop, this Court sees cause to allow & confirme the sajd act of the County Court at Salem in reference to the dispose & settlement of the estate of the late Cap<sup>t</sup> Thomas Lathrop.

Ans<sup>r</sup> to Edw.  
Rawsons peti-  
cion, 50<sup>th</sup>.

In ans<sup>r</sup> to the humble remonstrance & petiçon of Edward Rawson, the Court judgeth it meet to grant the petiçoner fuetty pounds in or as mony, to be payd him out of the publick tresury.

Prison keeper  
of Cambridge  
bill chardg.  
Chdgd & d<sup>d</sup>.

The prison keeper at Cambridg, W<sup>m</sup> Healy, his fees & charges in John Earls case, amounting to sixteene shillings & sixepence, the Court orders the Tresurer of the country to pay the same.

Marlborough, October 9, (79.)

Wee the comittee of the honnored Gen<sup>l</sup> Court, in obedience to their order, bearing date May 28, 1679, hauing given oppertunity to a full hearing of the greivances that haue been the matters of debate & contention in the

aboue named place, vpon serious & mature deliberation doe determin & order as ffolloweth:—

1679.

1. With refference to the complaint of Edward Rice, for want of his just interest in Assabath Meadow, wee finde the sajd Rice justly blameable for his turbulent opposing the order made by the former comitte; yet, forasmuch as the sajd issue was groundd vpon some misinformation given them, as to vs doth clearly appeare, and that Samuell Ward & Abraham How are possessed of two parcels of sajd meadow belonging to the sajd Rice & others, by a former grant of the toun, for a fynall end of sajd-controuersy, w<sup>th</sup> the consent of partjes therein concerned, wee doe order, that the abouesajd meadow shall be *diui* \*diuided as followeth, viz<sup>t</sup>, to Abraham How fve acres at the lower north end thereof, and the remainder to be diuided betweene the Reuerend M<sup>r</sup> Brimsmead, the aboue named Edward Rice, & Samuel Rice, in a just proportion to their seuerall interests, that is, M<sup>r</sup> Brimsmead nine acres, Edward Rice nine and a halfe, Samuel Rice three & a halfe, and that recompence be made to the aboue named Abraham How & Samuel Ward to the full value of the meadow taken away from them, by virtue of this order, from of the comon lands of the toun, either out of the meadow not yet divided or other lands, by the select men of the place forthwith; and in case of disagreement, either as to the place where they shall haue it, or the value of what they part with, & of what they haue in recompence thereof, the same to be determined by men indifferently chosen betweene the sajd partjes and the selectmen: our meaning heerein is, that they shall haue a full compensation for the damage to them heereby susteyned, both to the place where they haue it, & quantity to them allowed.

15 October.  
Comittes re-  
turn as to  
Marlborough  
aprooved of &  
confirmd.

[\*250.]

2. In answer to the question proposed to us concerning the way of raising maintenance for their minister, in discourse whereof wee caannot but take notice that the allowance at present made to the Reuerend M<sup>r</sup> Brimsmeade is much short of his deserts, and of what is needefull for an honnoable maintenance, and therefore doe seriously advise to an amendment of that matter; and, for the way of raising, wee judge it best that the inhabitants there resident doe attend the same way that is vsuall in other tounes and the law directs vnto; and for such houses and lands as haue no dwellers therein, that the owno<sup>r</sup>s thereof continue to pay all toun & church charges for sajd lands, in proportion as they haue formerly don, and was ordered in the first settlement of the place.

Fynally: w<sup>th</sup> refference to the booke of reccords of the toun, wee doe order, that the same be deliuered to the selectmen for the time being; and the

1679. selectmen are ordered to take care that the acts of the former committees, together with this writting, be fairely entred into the abouesajd booke.

15 October.

THOMAS DANFORTH,  
JOSEPH DUDLEY, "  
THOMAS BRATTLE,  
LAW: HAMOND.

The Court approoves & confirms this returne of the committee.

Anst to widdow Elisabeth Morse petition, 200 acres. In ans<sup>r</sup> to the petition of Elisabeth Morse, widdow, & relict of John Morse, late commissary, in behalfe of himself & children, the Court judgeth it meete to grant the petiçoner; in behalf of himself & children, two hundred acres of land, where it may be found.

Anst to Nath. W<sup>m</sup> petition, 100 acres. In ans<sup>r</sup> to the petition of Nathaniel Willjams, late commissary, the Court judgeth it meete to grant him one hundred acres of land, where it is to be found.

[\*251.] In ans<sup>r</sup> to the petiçon of Isaack Waldron, the Court judgeth it meet to grant him a hearing of his case on the first Tuesday \*of the next Court of Election, at nine of the clocke, he giving notice from this Court to all persons concerned to attend the issue.

Anst to Mr Ezek. Cheevers petition. In ans<sup>r</sup> to the petition of Mr Ezekeiell Cheeuers, it is ordered, that Mr Cheeuers haue a hearing the first Twesday at the next Court of Election, and the order passed this session of this Court concerning this buisnes be suspended.

Courts accept-  
ance of peti-  
tion. Whereas this Court, in May last, vpon the motion of seuerall the troopers and others in Hingham, Weymouth, & Hull, in ans<sup>r</sup> to their petition, that Capt Joshua Hubbard should take a lyst of such as should willingly offer themselves for troopers, both in Hingham, Weymouth, & Hull, which accordingly hath bin done, & presented to this Court, to the noumber of forty fve, with expectation of some further addition, if this Court please to accept of what hath bin and is already donn, the Court, hauing perused the return, and duely considered how vsefull it may be to the publicke, doe approove of what is donn herein, and doe order, that they shall become a troope, & haue officers appointed accordingly, provided that none of those persons who haue lysted themselves in this troope shallbe dischardged from attending the ffoote service in all respects as before, & lyable to the same pœnaltjes, vntill they are fully fitted & furnished in all respects w<sup>th</sup> armes & affinition, according to the law respecting troopers, and make it so to appeare to the captaine of the ffoote companjes to whom they did belong.

In ans<sup>r</sup> to the petition of Jacob Hurd & John Cowell, administrators to the estate of Benjā Hurd, & Elisabeth, his wife, both deceased, the Court judgeth it meet to grant the petiōners request as to y<sup>e</sup> sale of the house for y<sup>e</sup> ends mentioned in their petiōn. 1679.  
15 October.  
Ans<sup>r</sup> to Jacob Hurd's petiōn.

In ans<sup>r</sup> to the petition of Samuel Bullen, of Medfeild, the Court judgeth it meet to grant the petiōners the abatem<sup>t</sup> of the three pounds of his rate mentioned in his petiōn. Ans<sup>r</sup> to Sam. Bullens petiōn.

In ans<sup>r</sup> to the petiōn of Thomas Bancroft, the Court grants his request, a dismission from his ensignes place. Ans<sup>r</sup> to Tho. Bancrofts peti.

In ans<sup>r</sup> to the petiōn of Mary Gatcliffe, alias White, the Court, hauing pvsed this petiōn, declares y<sup>t</sup> it properly belongs to the Court of Assistants to heare & determine this case, vnto whom they judge meet to reffer it. Ans<sup>r</sup> to Mary Gatliuc.

Vpon complaint of the ouerseers of the new buildings of the colledge at Cambridge that, notw<sup>th</sup>standing all former endeavours, nothing (or litle) is donn as to the gathering in what yet is behind of seuerall subscriptions to that worke, this Court \*sees cause to revive & reinforce the order of this Court, made October sessions, 1678, to which end order the same to be printed and sent to the seuerall townes; and doe further order, that the select men of each toun carefully inspect the execution thereof, and that the selectmen make returne of what is donne or further to be donne on the first Wednesday in Aprill next, in the toun house of Boston, to Cap<sup>t</sup> John Richards, M<sup>r</sup> Anthony Stoddard, & Cap<sup>t</sup> Thomas Bratle, appointed by this Court a co<sup>m</sup>ittee to receive the same. Order ab<sup>t</sup> y<sup>e</sup> colledge dues yet remainis. [\*252.] Order ab<sup>t</sup> subscriptions for y<sup>e</sup> colledge.

In ans<sup>r</sup> to the petiōn of Jn<sup>o</sup> Francis, the Court judgeth it meet to grant him one hundred acres of land where it is to be found free from former grants. Ans<sup>r</sup> to Jn<sup>o</sup> Francis petiōn.

In ans<sup>r</sup> to the petiōn of Jacob Hurd & John Cowell, administrators to the estate of Benjā Hurd, & Elisabeth, his relict, deceased, humbly desiring the favour of this Court to grant them liberty to sell the house & land of the late Benjamin Hurd, & Elisabet, his relict, for the sattisfying of their debts & engagements, & bringing vp the child, the house not being finish<sup>t</sup>, & not tenantable, &c, the Court judgeth it meete to grant their request. Ans<sup>r</sup> to Jacob Hurd and John Cowell.



1679.

*\*Att a Gennerall Court, held at Boston, 15<sup>th</sup> of October, 1679.*

15 October.

[\*253.]

10<sup>u</sup> for hearing  
y<sup>e</sup> case, paid p<sup>r</sup>  
M<sup>r</sup> Epps.

**T**HE Court, hauing heard the pleas & allegations of M<sup>r</sup> Epps & M<sup>r</sup> Harlakenden Symonds, on the one parte, & M<sup>r</sup> Jonathan Wade on the other part, referring to the settlement of the estate of M<sup>r</sup> Samuel Symonds, late Deputy Governo<sup>r</sup>, doe order & determine that M<sup>r</sup> Epps, M<sup>r</sup> Harlakenden Symonds, & M<sup>r</sup> Richard Martyn be administrators to the estate of the said M<sup>r</sup> Samuel Symonds, and that they pay & sattisfy all legatyees & bequests in the said will, according to the true meaning & intent thereof, refferring to the widdow & other legatees, and that the farme Argilla, & the remayning part of the said estate, shall be divided amongst the children of the said M<sup>r</sup> Samuel Symonds, viz<sup>t</sup>, to M<sup>r</sup> Harlakenden Symonds a double portion, to M<sup>rs</sup> Epps, M<sup>rs</sup> Martyn, M<sup>rs</sup> Emmerson, M<sup>rs</sup> Baker, and the widdow of M<sup>r</sup> W<sup>m</sup> Symonds, for hir children, a single share; and because M<sup>r</sup> Willjam Symonds, or his administrators, may haue payd some of the bequests of the said will, it is therefore ordered, that the said administrators hereby constituted, viz<sup>t</sup>, M<sup>r</sup> Epps, M<sup>r</sup> Harlakenden Symonds, & M<sup>r</sup> Richard Martyn, shall repay & sattisfy out of the said estate so much as hath binn disbursed by the said M<sup>r</sup> Willjam Symonds or M<sup>r</sup> Wade, for any disbursements by them, or either of them, made for the defraying of the seuerall expences, payments of debts, legatyees, or other disbursments made for the fullfilling of the abouesaid will of the late Governo<sup>r</sup>, and this order to be a fynall issue of this controuersy. That this is a true copy, taken out of the Courts records,

Attests      EDWARD RAUSON, Secre<sup>t</sup>.

Vnderwritt.

7 November.

To Edward Mitchelson, Mashall Gennerall, or his deputy.

In his maj<sup>ties</sup> name, yow are required hereby to levy, by way of execution, in all respects as is expressed in the aboue written judgment and grant of the Gennerall Court of the estate of the late M<sup>r</sup> Samuel Symonds, Deputy Governo<sup>r</sup>, that yow know or finde he djed possessed of, and deliuer the same, with two shillings for this execution, to M<sup>r</sup> Epps, M<sup>r</sup> Harlakenden Symonds, and M<sup>r</sup> Richard Martyn, administrators of that estate, making your returne as the law directs. Dated in Boston, the seventh of November, 1679.

By the Court.      EDWARD RAWSON, Secre<sup>t</sup>.

Vnderwritt.

By virtue hereof, I depute Robert Lord, Ju<sup>n</sup>, marshall of Ipsuich, my lawfull deputy, for the execution of this warrant.

The 7<sup>th</sup> 9, 79.

Endors<sup>t</sup>, EDWARD MITCHELSON, Marshall Generall.

\*Y<sup>e</sup> 12<sup>th</sup> of November, 1679. Then extend the w<sup>th</sup>in execution vpon the houses and lands, goodes and chattels, which the late Dep<sup>t</sup> Goūn<sup>r</sup> djed possessed of, and deliuered the same vnto M<sup>r</sup> Daniel Epps, and M<sup>r</sup> Harlakenden Symonds, & M<sup>r</sup> Richard Martjn, his order, as much of goods and chattels as then appeared as wee could then finde.

1679.

3 November.

[\*254.]

By me, ROBERT LORD,  
Marshall Deputy to Marshall Gennerall.

This Courts judgment and execution vnder written therevpon, w<sup>th</sup> the deputation & exteution returnd y<sup>e</sup> 24<sup>th</sup> of December, 1679, stands thus entered & recorded in the Gennerall Courts booke of reccords, at the request of said M<sup>r</sup> Daniel Epps & M<sup>r</sup> Harlakenden Symonds ; as attests

EDWARD RAWSON, Secre<sup>t</sup>.

This 10<sup>th</sup> of November, 1679, a true account of the estate of Samuell Symonds, late Deputy Gouverno<sup>r</sup>, deliuered vnto vs, who were appointed administrators vnto the said estate by a judgment of the honored Geñ Court, held at Boston 15<sup>th</sup> October, 1679 — wee say, deliuered vpon execution given vpon the said judgment by M<sup>r</sup> Rawson, secretary, as appears vnder his hand. Imp<sup>r</sup>.

10 November.

The possession of all the housing and lands that are now extant, & that the said Samuel Symonds djed possessed of, viz <sup>t</sup> , Argilla ffarme & housing, the marshes beyond Wells, his ffarme towards Castell Hill, the house at toune, & about twenty rods of ground w <sup>th</sup> it, prized at ten pounds; the whole lands & housing apprised at 1772 <sup>li</sup> ,	1772 00 00
Sheepe, twenty seven, prized at 12 <sup>li</sup> ,	0012 00 00
Hey, adjudged to be fluety loads, prized at 37 <sup>li</sup> 10 <sup>s</sup> ,	0037 10 00
Twelue cowes, prized at 47 <sup>li</sup> ,	0047 00 00
Eight, two yeares old, prized at 16 <sup>li</sup> 10 <sup>s</sup> ; sixe young catle, come two yeares old, prized at 12 <sup>li</sup> ,	0028 10 00
Seuen oxen, prized at 37,	0037 00 00
One fower yeare old bull, prized at 3 <sup>li</sup> ,	0003 00 00
Two hundred acres of vpland & marsh at Lampereele Riuer, prized at 130 <sup>li</sup> ,	0130 00 00
Part of one thousand acres of land at Coxwells, by Wells, at 6 <sup>li</sup> ,	0006 00 00

1679.	A clocke at 5 <sup>li</sup> , a paire of and irons 1 <sup>li</sup> , . . . . .	0006 00 00
	One horse at 3 <sup>li</sup> 10 <sup>s</sup> , a coult at 1 <sup>li</sup> — 4 <sup>li</sup> 10 <sup>s</sup> , . . . . .	0004 10 00
10 November.	Five leather chaires at 1 <sup>li</sup> , 3 red curtaines and valliants at 1 <sup>li</sup> 5,	0002 05 00
	Green curtains & valliants, prized at 3 <sup>li</sup> , a suite of damaske, } prized at 4 <sup>li</sup> , . . . . . }	0007 00 00
	3 Turkey worke cushins at 12 <sup>s</sup> , a plajne cubboard, 3 old } stooles, & a cubbord cloth at 10 <sup>s</sup> , . . . . . }	0001 02 00
	A couch chajre at 15 <sup>s</sup> , a great chest at 15 <sup>s</sup> , a chaire w <sup>th</sup> } armes at 3 <sup>s</sup> , . . . . . }	0001 13 00
	A cabbinet & two old hats at 1 <sup>li</sup> 5 <sup>s</sup> , . . . . .	0001 05 00
	Bookes prized at 5 <sup>li</sup> , in clothes of Samuel Symonds, Dep <sup>t</sup> } Gou <sup>nr</sup> , at 15 <sup>li</sup> 5, . . . . . }	0020 05 00
	The bedsteds and bedding, couerlids, ruggs, blankets, & } sheet, at 11 <sup>li</sup> 6 <sup>s</sup> , . . . . . }	0011 06 00
	Sheeps woole, 45 <sup>li</sup> , at 1 <sup>s</sup> 6 p <sup>li</sup> , 3 <sup>li</sup> 7 6, a musket 28 <sup>s</sup> , a sword } & belt at 15 <sup>s</sup> , . . . . . }	0005 10 06
	An old sow & 8 hoggs, that were called Spring Shotts, } prized at 12 <sup>li</sup> , . . . . . }	0012 00 00
	A great copper, prized at 8 <sup>li</sup> , a p <sup>r</sup> of stilljards & poys at 1 <sup>li</sup> , .	0009 00 00
	30 <sup>li</sup> of peuter at 16 <sup>d</sup> p <sup>li</sup> , 5 <sup>li</sup> at 1 <sup>s</sup> p <sup>li</sup> , 12 <sup>li</sup> & $\frac{1}{2}$ more at 1 <sup>s</sup> 4 <sup>d</sup> } p <sup>li</sup> , w <sup>ch</sup> comes to . . . . . }	0003 01 08
	A bell metle mortar and pessell at 10 <sup>s</sup> , a brass p <sup>r</sup> of skales } & wajghts at 7 <sup>s</sup> , . . . . . }	0000 17 00
[*255.]	*A wooden beame & scales at 10 <sup>s</sup> , an iron pot 8 <sup>s</sup> , a } cheese press at 10 <sup>s</sup> , a quern mill 10 <sup>s</sup> , . . . . . }	0001 18 00
	A p <sup>r</sup> of harrowes 1 <sup>li</sup> , a pajre of iron racks 14 <sup>s</sup> , a pajre of } tongs 3 <sup>s</sup> , fire pan 1 <sup>li</sup> 17, . . . . . }	0001 17 00
	A gridiron 5 <sup>s</sup> , a frying pan 8 <sup>s</sup> , a spitt & tramel 10 <sup>s</sup> , a cub- } bord, table, & forme 18 <sup>s</sup> , . . . . . }	0002 01 00
	A tin lampe 1 <sup>s</sup> , a brasse skillet 8 <sup>s</sup> , a brasse kete & pot } hookes, one paire, 10 <sup>s</sup> , . . . . . }	0000 19 00
	In catle belonging to the farme, in the hands of M <sup>r</sup> Daniel } Epps, Sen, . . . . . }	0022 00 00
	A copper pan 11 <sup>s</sup> , a corslett 2 <sup>li</sup> , . . . . .	0002 11 0
	A new tumbrill making, & boards, & nayles, prized at 20 <sup>s</sup> , .	0001 00 00
	A marble mortar at 20 <sup>s</sup> , a cart roape at 8 <sup>s</sup> , . . . . .	0001 08 00
	9 <sup>li</sup> & a halfe of cotten woole at 16 <sup>d</sup> p <sup>li</sup> , . . . . .	0000 12 08
	Barrells, tubbs, keelers, & other vessells in the cellar, 1 <sup>li</sup> 13 <sup>s</sup> , .	0001 13 00
	Tubbs, cowle, seives, & other smale instruments of wood, 1 <sup>li</sup> 7 6,	0001 07 06

A winch, an iron axetree for a grind stone, 3 <sup>s</sup> 6 <sup>d</sup> ; 2 shoŭlls, }	0001 06 06	1679.
3 howes, forke & rakes, . . . . . }		10 November
3 yoakes, w <sup>th</sup> the irons belonging to them, & span shakle, & }	0000 14 00	
pinns, 14 <sup>s</sup> , . . . . . }		
3 chajnes at 7 <sup>s</sup> p chajne, 1 <sup>li</sup> 1 <sup>s</sup> , . . . . .	0001 01 00	
The cart & wheeles, iron hoops, boxes, grispins, washers, & }	0001 15 00	
ax najles, . . . . . }		
Another pajre of wheeles, w <sup>th</sup> irons belonging to them, at 2 <sup>li</sup> , .	0002 00 00	
A broad axe and narrow axe at 8 <sup>s</sup> , . . . . .	0000 08 00	
The totall sūme is . . . . .	2103 06 10	
Erro <sup>r</sup> s excepted.		

ROBERT LORD, M<sup>r</sup>shall,  
DANIEL EPPS, Señ,  
HARR: SYMONDS.

18 lambs at 6<sup>li</sup> 5<sup>s</sup>, 5 calves prized at 3<sup>li</sup>, the corne, English, and English and Indian, prized at 30<sup>li</sup> in the inventory taken 2<sup>th</sup> July last, which wee leaue to be disposed of by M<sup>r</sup> Wade & our sister, Willjam Symonds his relict, to be accounted for amongst other accompts, which when made vp, what doth remajne shall rvnn, vpon the accompt of the single share, to himself for hir children.

The account of particullar aboue the sixe lines was deliuered vnto vs, 12 November. Daniel Epps & Harlakenden Symonds, p order of Richard Martyn, by the marshall, Robert Lord, Juñ, and those sixe lines, also, read to our sister Symonds, Robert Kinsman and Samuel Ingalls being present in all the aprizements & deliueries, who apprized the same; as wittnes their hands, this 12<sup>th</sup> of November, 1679.

ROBERT KINSMAN,  
SAMUEL INGALLS.

This accompt, the totall sūme whereof, as aboue, amounts to two thou- 24 December. sand one hundred & three pounds sixe shillings & tenn penc, so vnder writt & signed by the apprisers thereof & the marshall that extended the same, Robert Lord, marshall, stands thus here recorded in the Gennerall Courts booke of reccords, p. 254, 5, & 2, at request of M<sup>r</sup> Epps & M<sup>r</sup> Harlakenden Symonds, from 24<sup>th</sup> December, 1679.

As attests

EDW<sup>p</sup> RAWSON, Secreř.



1679-80. *\*Att a Gennerall Court, specially called by the Gou<sup>r</sup>no<sup>r</sup> & Assistant<sup>s</sup>,  
at Boston, & held there the 4<sup>th</sup> of February, 1679.*

4 February.

[\*256.]

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>,  
Daniel Gookin,  
Daniel Dennison,  
Edw<sup>d</sup> Tyng,  
W<sup>m</sup> Staughton, sworne,  
Joseph Dudley,  
Peeter Bulkley, s<sup>w</sup>,  
Nath: Saltonstall,  
Humphry Dauy, Esq<sup>s</sup>.

The names of y<sup>e</sup> deputjes returned to serve at this Court were, —

Cap<sup>t</sup> Jn<sup>o</sup> Coruin, Cap<sup>t</sup> John Price, Sa.  
M<sup>r</sup> James Russell, M<sup>r</sup> Joseph Lynd, Ch.  
M<sup>r</sup> W<sup>m</sup> Sumner, Dor.  
Cap<sup>t</sup> Jn<sup>o</sup> Richards, M<sup>r</sup> Anthō Stoddard, Bo.  
M<sup>r</sup> W<sup>m</sup> Parkes, M<sup>r</sup> Edw<sup>d</sup> Morrice, Rox.  
M<sup>r</sup> Symon Stone, Wa.  
M<sup>r</sup> Edw<sup>d</sup> Oakes, M<sup>r</sup> Jo<sup>s</sup> Cooke, Cam.  
Cap<sup>t</sup> Rich<sup>d</sup> Walker, Lynn.  
Maj<sup>r</sup> Sa<sup>m</sup> Apleton, Cap<sup>t</sup> Jn<sup>o</sup> Whiple, Ips.  
M<sup>r</sup> Rich<sup>d</sup> Bartlet, Newb.  
Cap<sup>t</sup> W<sup>m</sup> Torrey, M<sup>r</sup> Sa<sup>m</sup> White, Wey.  
Cap<sup>t</sup> Josh Hubbard, Hing.  
Cap<sup>t</sup> Thō Brattle, Lef<sup>t</sup> Jn<sup>o</sup> Flynt, Conc.  
Cap<sup>t</sup> Dan<sup>i</sup> Fisher, En<sup>s</sup> Tho: Fuller, Dedh.  
Leu<sup>t</sup> Edm<sup>d</sup> Quinsey, Bra.  
M<sup>r</sup> John Peirson, Row.  
Lef<sup>t</sup> W<sup>m</sup> Johnson, En<sup>s</sup> James Converse, Woo.  
Cap<sup>t</sup> Jn<sup>o</sup> Wayte, Mal.  
Cap<sup>t</sup> Geō Barber, Meadf.  
Cap<sup>t</sup> Edm<sup>d</sup> Goodenow, Sud.  
M<sup>r</sup> Jn<sup>o</sup> Dodge, Beur.  
En<sup>s</sup> Thō Chandler, Andiv<sup>r</sup>.  
M<sup>r</sup> Jn<sup>o</sup> Broun, Red.  
Cap<sup>t</sup> Jn<sup>o</sup> Hull, Salisb.

Mr Job Lane, Billi.

Mr Sam Foster, Chelm.

Mr W<sup>m</sup> Halsall, Mr James Steevens, Glocester.

Cap<sup>t</sup> Sam Ward, Marb.

Mr Rob<sup>t</sup> Tucker, Milt.

Mr Ab<sup>r</sup> Willjams, Marl<sup>b</sup>.

Mr Sam Worster, Bradf.

1679-80.

4 February.

Cap<sup>t</sup> Jn<sup>e</sup> Richards was chosen Speak<sup>r</sup> for y<sup>e</sup> session.

AT the opening of this Court, the Governor declared that our honored agents being, thrō Gods mercy, safely returnd to us, & bringing a letter from his maj<sup>ty</sup>, di<sup>r</sup>cted to the Go<sup>v</sup>no<sup>r</sup> & Company of the Massachusetts, w<sup>ch</sup> letter he would cōmunicate to them, & was publickly read to y<sup>e</sup> whole Court mett together.

The Go<sup>v</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England to  
A B, captaine.

Whereas yow are appointed capteine of a ffoot company for the service of his majesty in the toune of B., in the county of E., in the colony of the Massachusetts Bay, these are, in his majesties name, to authorize & require yow to take into yo<sup>r</sup> care & conduct the sajd company, and diligently to intend that service by leading and excercising your inferiour officers & souldjers in peace and warre, commanding them to obey yow as theire captaine, and yow to observe and obey all such orders and directions as from time to time yow shall receive from yo<sup>r</sup> major or other superiour officers. In testimony whereof, &c.

This is y<sup>e</sup> forme for military officers cōmissions, mutatis mutandis.

It is ordered by this Court, that every person, legally chosen, in any toune w<sup>th</sup>in this jurisdiction, to serve in the office of a tything man according to law, and doe refuse to take his oath, shall pay as a fine to the toune forty shillings, and another to be chosen in his room for that yeare; and so, from time to tyme, the same course is to be observed in all tounes. And, further, it is ordered, that the constable of each toune, from time to time, shall assist the tything men in the execution of their office, being therevnto desired by the sajd tything men or any two of them.

\*It is ordered by this Court and the authority thereof, that for the future there shallbe annually chosen, according to our charter, eighteene Assistants,

Order for nomination & election of Go<sup>v</sup>no<sup>r</sup>,

[\*257.]

Assistants, & pub. officers.

1679-80. besides the Gouverno<sup>r</sup> and Deputy Gouvernor, in manner following, viz<sup>t</sup>: The constables of each toune shall giue timely notice to and warne their freemen to meete vpon the second Tuesday in Aprill next, who, being so met, shall put in their voates for Gouvernor, Deputy Goūnor, and twenty Assistants, w<sup>th</sup> major gennerall, secretary, Treasurer, and comissioners of the Vnited Colonjes, all in distinct papers fairely written, the whole number of twenty for Assistants being to be put into one lyst, cut almost assunder betwixt each name; w<sup>ch</sup> votes shallbe received by the deputjes chosen for the next Gennerall Court, or some other meet person chosen by the freemen where no deputy is, and sealed vp in the presence of the freemen, and the deputjes, or other persons chosen for that end, are to bring the sajd votes to Boston, sealed vp, to the Court House, by one of the clocke on the Monday before the election day, on the pœnalty of ten pounds for euery person that doth neglect so appearing, where, in the presence of the Goūnor, Deputy Goūnor, and Assistants, or so many of them as shall be then present, the proxies shallbe opened and sorted forthwith by the persons so assembled, and so kept distinct, sealed vp, and numbred, w<sup>th</sup> the name of the party on the back side, with the number of votes inclosed, til Wednesday, when all the freemen that haue not voted by proxy are required to appeare at the Court House in Boston aforesajd, by seven of the clocke in the morning, to bring in their votes for elections of Goūnor, Deputy Goū, Assistants, and other officers that are then to be chosen, according to charter, in papers, as aforesajd, all w<sup>ch</sup> votes are to be sorted and numbred w<sup>th</sup> the proxies; and the Goūno<sup>r</sup> and Deputy Goūn<sup>r</sup> being chosen and proclajmed, the eighteene that haue most votes are to be proclaymed Assistants for the yeare ensuing, and other gennerall officers to be chosen as formerly. Also, it is ordered, that euery person admitted to be present as aboue at the opening & numbring of the votes shall, before they enter vpon the sajd worke, or be admitted to be present thereat, take their oathes to deale truly in the trust comitted to them as abouesajd. This law or order to stand for this yeare onely, as to the manner of chojce.

The Court, hauing perved & considered of the oath required of the Goūno<sup>r</sup> by his maj<sup>ty</sup> for the observation & execution of the statutes for the encouraging & encreasing of nauigation & trade, doe order, that the Goūno<sup>r</sup> take his oath accordingly, and that the same be admistred by some of y<sup>e</sup> council.

The Deputy Goū gaue the oath to y<sup>e</sup> Goūno<sup>r</sup> in open Court 7<sup>th</sup> Fe<sup>b</sup>, 79.

\*Whereas yow, A B, are appointed and betrusted ffor the opening the proxies sent in by the freemen, and receiving, sorting, and numbring the

Oath to be administered to those that sort

[\*258.]

& number the votes.

votes for the choyce of Gofino<sup>r</sup>, Deputy Gofino<sup>r</sup>, Assistants, and other publicke officers of this jurisdiction to be chosen on the ellection day, yow doe now sweare by the name of Almighty God, that yow will deale truely and vprightly therein, as also that yow will not, either directly or indirectly, discover either persons or number of votes vntil the election be ended. 1679-80.

4 February.

This Court doeth hereby declare, that all comissions that haue been formerly granted by the colony of the Massachusetts to any person or persons that liue in the townes of Hampton, Exeter, Portsmouth, & Douer, are heereby w<sup>th</sup>draune, & as to any future act made voyd and of no effect.

All comissions to y<sup>e</sup> fower townes of Douer, Portsmouth, Exeter, & Hampton, w<sup>th</sup>draune & nuld.

This Court, hauing duely considered of the long & faithfull service of our honored agents, W<sup>m</sup> Staughton & Peeter Bulkley, Esq<sup>rs</sup>, who haue binn employed in England vpon the affajres of the country, &, through the fauour of God, are now returnd, doe w<sup>th</sup> all thankfulnes acknowledge their paynes & care in & about the same, and, as a manifestation of our acceptance thereof, doe heereby order and appoint the Tresurer of the country to pay to each of them one hundred and fuetty pounds, in money, out of the publick treasury, as an addition to what hath binn already granted to them by this Court, as a smale retribution for such their seruice, & an expression of our good affection to them, desiring they will please to accept of the same; and this to be vnderstood of a personall gratuity, w<sup>th</sup>out respect to what hath binn expended in the prosecution of those matters they haue binn employed in & about.

Our agents recompenc.

This Court, taking into consideration the necessity of a speedy establishing a gove<sup>m</sup>t in the Prouince of Majne, & the present season requiring a speedy issue of this sessions of Court, the honnoured council of this jurisdiction is requested, and heereby empowred, to take order for setling the said gou<sup>m</sup>ent, and appointing a præsident, w<sup>th</sup> justices of the peace & other officers, as is directed in M<sup>r</sup> Gorges patent, & to comissionate the same accordingly vnder the seale of this colony; and this to be in force vntil the next Court of Election here, & vtill further order be taken by this Court therein.

Gouernment to be setled in y<sup>e</sup> Prouinc of Majne, &c.

The corporation of the colledge hauing vnanimously chosen, & the ouiseers fully approoved and confirmed that choyce of the Reūnd M<sup>r</sup> Vrjan Oakes, pasto<sup>r</sup> of the church of Cambridge, to be præsident of the colledge there, for the better incouragement of himself and also of the church for providing helpe for carrying on that worke, w<sup>ch</sup> hereby he may be in part diuerted from, or need assistance in, this Court doth order, that fuetty pounds p annū, in country pay, be allowed the Reūnd M<sup>r</sup> Oakes, on the considerations aforesajd, ouer & aboue the hundred pounds in money already setled, provided he accept the præsidentship.

Præsident Oakes his allowance 150 p<sup>r</sup> annu.

\*In ans<sup>r</sup> to the petition of M<sup>r</sup> Hugh Campbell, Scotch m<sup>r</sup>cht in Boston, [\*259.]



1679-80. this Court judgeth it meete to allow to the petitioner, on behalfe of such as may on that account transport themselves hither, such accomodation to their number in the Nepmug country as it will affoord, provided they come w<sup>th</sup>in two yeares next after this grant.

4 February.

Ans<sup>r</sup> to Hugh Campbells petition.

Woulborne fine remitted.

In ans<sup>r</sup> to the petition of Lef<sup>t</sup> W<sup>m</sup> Johnson & James Convers, of Woulborne, humbly desiring the favour of this Court to remit them the fine of five pounds for not observing the law as to affiniton, w<sup>ch</sup> they had, haue, & willbe more observant for time to come, the Court judgeth it meet to remitt their fine.

Capt Corwins fine, 100<sup>l</sup>, remitted.

In ans<sup>r</sup> to the humble petition of Cap<sup>t</sup> Georg Coruin, humbly desiring the favour of this Court to remitt him his fine of one hundred pounds, the Court judgeth it meet to remitt to the peti<sup>c</sup>ōner his sajd fine mentioned in his peti<sup>c</sup>ōn.

Ans<sup>r</sup> to Tho. Verrys petition.

In ans<sup>r</sup> to the petition of Thomas Varry, of Marblehead, a wounded souldjer in the late warr, not perfectly cured of his wound, &c, the Court judgeth it meet to grant the peti<sup>c</sup>ōner sixe pounds, to be p<sup>d</sup> him in mony by the Tresurer.

Admission of y<sup>e</sup> hono<sup>rb</sup>. Georg Russell to freedom.

He accepted it,

& took his oath

13 Feb<sup>y</sup>, 79, be-

fore the Gov.

& Assistants.

Salisbury, Ha-

uerill, & Ames-

bury to belong

to Essex coun-

ty.

It is hereby ordered, that the honno<sup>rb</sup>l Georg Russell, Esq<sup>re</sup>, now resident w<sup>th</sup> us in Boston, be admitted to the freedome of this corporation, if he please to accept thereof.

This Court, being sencible of the great inconvenienc & charge that it will be to Salisbury, Hauerill, & Amesbury to continue their County Court, now some of the townes of Norfolke are taken of, and considering that those townes did formerly belong to Essex county, and attended at Essex Courts, doe order, that those townes that are left be againe joyned to Essex, and attend publick buisness at Essex Courts, there to implead and be impleaded as occasion shallbe; their reccords of lands being still to be kept in some one of their oune townes on the north of Merrimack; and all persons, according to course of law, are to attend in Essex county.

Ans<sup>r</sup> to Ju<sup>s</sup> Ricks peti<sup>c</sup>ōn. This ans<sup>r</sup> is misplaet, & should have binu p. 167.

In ans<sup>r</sup> to the petition of John Ricks, Joseph Goodall, & Sarah, his wife, the estate being ouned to be vnder a mortgage, the Court declares that the peti<sup>c</sup>ōners should apply themselves to M<sup>r</sup> Symon Lynd, to compound w<sup>th</sup> him, or to take the course of law vsuall for the freeing of a messuage vnder mortgage, there being no account given whither the mortgage be not already vnder a forfeiture in law.

*\*Att a Gennerall Court for Elections, held at Boston, 19<sup>th</sup> of May, 1680.*

19 May.

[\*260.]

SYMON BRADSTREET, Esq̃, was chosen Goũno<sup>r</sup>, & tooke his oath <sup>^</sup>allegianc, & y<sup>t</sup> ab<sup>t</sup> trade, &c.

Thomas Danforth, Esq̃, was chosen Dep<sup>t</sup> Goũno<sup>r</sup>, & tooke his oath, as also the oath of allegiance.

Richard Saltonstall, Esq̃, was chosen Assistant, tooke his oath 10 August, 1680, at Cam<sup>b</sup>.

Daniel Gookin, Esq̃,	}	& Major Gennerall.
Daniel Dennison, Esq̃,		
John Pynchon, Esq̃,		
Edw <sup>d</sup> Tyng, Esq̃,		
W <sup>m</sup> Stoughton, Esq̃,	}	& Coĩmission <sup>r</sup> for y <sup>e</sup> colonjes.
Joseph Dudley, Esq̃,		& Coĩmissio <sup>r</sup> for y <sup>e</sup> colonjes.
Peter Bulkley, Esq̃,	}	
Nathaniel Saltonstall, Esq̃,		were chosen Assistants, & tooke their oath,
Humphrey Davy, Esq̃,		& oath of allegianc.
James Russell, Esq̃,		& Tresurer, & tooke his oath, 12 June, 80.
Samuel Nowell, Esq̃,		
Peter Tylton, Esq̃,		
John Richards, Esq̃,		
Jhohn Hull, Esq̃,		
Bartholmew Gidney,		
Thõ Sauage, Esq̃,		
W <sup>m</sup> Broune, Esq̃,		tooke his oath 26 May.

Edward Rawson was chosen Secretary.

The Court adjourned to y<sup>e</sup> morning 20 May, 1680.

The names of the seuerall gent<sup>n</sup> returnd from y<sup>e</sup> tounes to serve at this Court were, —

Salem: Cap<sup>t</sup> W<sup>m</sup> Broune, M<sup>r</sup> Jn<sup>o</sup> Putnam.

Charl<sup>s</sup>: M<sup>r</sup> Joseph Lynde, M<sup>r</sup> Jn<sup>o</sup> Cutler.

Dorch: M<sup>r</sup> Willjam Sumner.

Boston: M<sup>r</sup> Anthõ Stoddard, Cap<sup>t</sup> Elisha Hutchinson.

Rox<sup>b</sup>: M<sup>r</sup> Edw<sup>d</sup> Morice, M<sup>r</sup> Joseph Griggs.

1680.

19 May.

Water <sup>^</sup> : Mr Symon Stone.  
 Cambř : Mr Edw<sup>d</sup> Oakes, Mr Joseph Cooke.  
 Lyn : Mr Andrew Mansfeild.  
 Ipsuich : Major Sañ Apleton, Mr W<sup>m</sup> Goodhue.  
 Newbē : Mr Nicholas Noyce.  
 Weym : Capř Jn<sup>o</sup> Holbrooke.  
 Hingh : Mr Daniel Cushin.  
 Concō : Capř Thō Bratle, Leifř Jn<sup>o</sup> Flynt, 1 š.  
 Dedh : Capř Danī Fisher.  
 Brant : Capř Rich Bracket.  
 Rouley : Mr Jn<sup>o</sup> Peirson.  
 Haucril : Leifř Georg Broune, 1 š.  
 Woobō : Leifř W<sup>m</sup> Johnson, Ensign <sup>^</sup> Convers.  
 Andiř : Capř Dudley Bradstreet, 1 š.  
 Wenh : Capř Thō Fiske.  
 Maulden : Capř Jn<sup>o</sup> Wayte.  
 Northampř : Leiuř Willjam Clarke, 1 š.  
 Hadley : Leifř Phillip Smith, 1 š.  
 Beřly : Mr Jn<sup>o</sup> Dodge.  
 Sudbury : Capř Edmō Goodenow.  
 Springfield : Mr Sañ Marshfeild, 1 š.  
 Glocester : Mr James Steevens, 1 š.  
 Salisbury : Mr W<sup>m</sup> Buswell.  
 Reading : Mr Jn<sup>o</sup> Broune.  
 Marlboř : Mr Abrah Willjam.  
 Milton : Mr Robert Tucker, 1 š.  
 Hull : Mr Nath Bosworth. — 40.

Capř Daniel Fisher was chosen Speaker for y<sup>s</sup> session.

[\*261.]

Addition to y<sup>e</sup>  
 military co-  
 mission.

Law requiring  
 buildings to be  
 brick or stone  
 in Boston sus-  
 pended for 3  
 yeares.

\*As an explanation of the order of this Court, made in February last, respecting the forme of military officers cōmissions, this Court doeth declare, that that order intends not only all cōmissions following, but also preceding the same; and it is hereby ordered, that the secretary doe, when they shallbe demanded, issue out new cōmissions to all former officers in the sajd forms, & y<sup>t</sup> y<sup>e</sup> the precedency of captaines goe & be according to their former settlement.

In ans to the petition of seuerall of the inhabitants of Boston, the Court, considering the present inability of many persons that haue susteyned

great losse by the late fyre, to rebuild w<sup>th</sup> bricke & stone, judgeth it meete to suspend the execcuting and prosecuting the late lawe, title New Buildings in Boston, to be bricke or stone for the space of three yeares only, when it is to be in force, and all persons are required then carefully to attend vnto the same.

1680.

19 May.

It is ordered by this Court & the authority thereof, that henceforth the new measures that are now come ouer from England by M<sup>r</sup> Foy shallbe the standard for this colony of the Massachusetts, which sajd measures are of bell metle, the halfe bushell and the pecke, for measuring of corne & other grajne, & salt, &c; also one quart and one pint, for beere or ale, w<sup>ch</sup> are attested to by Daniel Man, keeper of the Guild Hall of the citty of London, yeoman of the chamber thereof, & sizer and sealler of the weights & measures to be just and right, according to a statute for measuring called Winchester measure, together w<sup>th</sup> a standard of brasse, to size a yard and an ell; and also one gallon, one quart, and one pint, being wine measures, according to the custome of London, and that all halfe bushells & bushells shallbe sized by this halfe bushell, and all other measures shallbe sized by these other measures before expressed, and that the country Treasurer issue forth his warrants forthuith to the constable of euery toune in this colony, to bring in all the old standards of the seuerall townes to whom the Treasurer shall order, to be sized by the new measures now allowed and approoved of by this Court w<sup>thin</sup> one moneth after publication hereof, and that henceforth it shall not be lafull for any person whateuer to buy or sell by any other measures \*then what are allowed of, & sealed by or according to the abouesajd standards, vnder the pœnalty of fve pounds to any person that shall so doe, the one halfe to the informer, and the other halfe to the toune they belong to. And if any toune or constable thereof shall neglect their duty heerein, in not bringing in their standards to be sealed, according to the time appointed, they shall pay as a fine to the country ten pounds; and the new seale for these measures shallbe

Order as to  
measure &  
standards.

[\*262.]



I, Daniel Man, keeper of the Guild Hall of the citty of London, yeoman of the chamber thereof, and sizer and sealer of weights and measures, doe hereby certify, (at the request of M<sup>r</sup> John Foy, of London, marriner,) that I did size and seale the things following, viz: oñ halfe bushell and one pecke, for measuring corne and other graine; as also one quart & one pint, for beare or ale, all w<sup>ch</sup> are just and right, according to a statute for measuring called Winchester measure, together w<sup>th</sup> one standard, to size a yard and an ell; and one gallon, oñ quart, and one pint, being uine measures, according to the

M<sup>r</sup> Mans cirtif-  
ficat.



1680.

19 May.

customes of London; all which aforesajd measures, duely sized and sealed as aforesajd, are of brasse. Witness my hand and seale this third day of March, anno Domñ 1679, and in the two & thirtieth yeare of the reigne of our soueraigne lord, King Charles the Second, of England, &c.

DANIEL MAN, & a (seale.)

Sealed & signed in the p̄senc of

J<sup>o</sup> Hutton,

Will: Worthman, Not Pub<sup>ica</sup>.

It is ordered, that this writting be entred in the book of reccords, & kept on file, w<sup>ch</sup> is this done.

Com̄itees re-  
turne as to y<sup>e</sup>  
colledg pay  
considered.

This Court, considering the returne of the com̄ittee appointed to take in the returnes of the seuerall tounes to be made by the selectmen on the first Wednesday in Aprill last at Boston, respecting the contribution to the colledge, and finding the selectmen of the tounes vnder written haue not attended the order of the Court in this respect, doe order that the secretary doe, by letter to the seuerall tounes, signify that this Court is sencible of their neglect, but are willing to appoint a further time; and doe therefore reinforce the sajd order, that the select men of each tounne carefully enquire into the same, & that they make returne of what is don, or further to be donn, on the 3<sup>d</sup> Tuesday in September next, in the tounne house of Boston, to the former com̄ittee appointed to receive the same, on p̄enalty of twenty pounds fine to the country Treasurer, to be p̄d by y<sup>e</sup> selectmen of each tounne that shall neglect the observanc of this order, according to the true intent hereof.

Charls Tounne, Marlborow, Chelmsford, Hauerill, Wooborne, Wenham, Malden, Rowley, Roxbury, Springfield, Newbery, Dorchester, Topsfeld, Salem, Glocester, Weymouth, Beverly, Northampton, Sudbury, Hingham, Andiver, Hull.

[\*263.]

Com̄ittee to  
revise y<sup>e</sup> lawes.

\*On a motion made to this Court for the reprinting of the lawes, &c, the Court approoves of the motion, and doe order that W<sup>m</sup> Stoughton, Esq̄, Joseph Dudley, Esq̄, Peter Bulkley, Esq̄, or any two of them, w<sup>th</sup> Cap<sup>t</sup> Daniel Fisher, M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Jn<sup>o</sup> Wajte, Leif<sup>t</sup> W<sup>m</sup> Johnson, and Cap<sup>t</sup> Elisha Hutchinson, or any three of them, be a com̄ittee to consider our lawes already made, and that need emendation, and what else is necessary refferring therevnto, together w<sup>th</sup> his maj<sup>ties</sup> letter, now vnder consideration, as it relates to this matter.

Entry of peti-  
tion mony to be  
divided amōgst  
y<sup>e</sup> member of  
y<sup>e</sup> Court.

There being much time at euery sessions of the Gennerrall Court expended in the considering of peti<sup>ti</sup>ōns, which puttis the members of Court to

the more expences w<sup>th</sup>out any recompence or allowance, it is ordered by this Court, that henceforth all the money received and due vpon the receipt of petitions shallbe divided amongst the members of that session, after the same manner as is vsuall for the cautions received vpon the hearing any petiçon or case in open Court; and it is hereby further ordered, that whereas petiçon money was allowed to the clarke & secretary in part of their sallery, that henceforth the sajd clarke be allowed one fowerth part of his sallery in money, to be paid by the country Treasurer.

1680.

19 May.  
Clerks sallery  
½ to be p<sup>d</sup> in  
money.

The Court, being sencible that some petitions are irregularly put on file, w<sup>th</sup>out payment of the Court due, and after the time of entry according to lawe is expired, and that some are sajd to be received freely, when it is but the act of one part of the Court, doe therefore order & enact, that the secretery or clarke of the deputjes, or the person who shall at any time officiate in their roome, shall faithfully enter vpon the sajd petiçon the particullar day when it was by them received, & how much was, at the receipt thereof, either paid or secured, which they shallbe accomptable for; and that no petiçon shall be accepted w<sup>th</sup>out the payment of the entry money by law stated, vnless there be an act of both houses, viz<sup>t</sup>, Majes<sup>ties</sup> & Deputjes, for it to be in sub forma pauperis, or by a speciall & particular act of this Court favour.

Order as to en-  
try of petiçons  
for time to  
come.

\*Whereas the law referring to peculiars saith that they shall pay public charges in that towne whose meeting house is neerest to y<sup>e</sup>m, —

[\*264.]

County Courts  
to resolve y<sup>e</sup>  
questions ab<sup>t</sup>  
peculiars.

The questions are, first, whither it is to be vnderstood vpon a direct lje, or the neerest passable way.

2<sup>d</sup>. How and by whom it is to be determined. The Court judgeth it meet to reffer the determination of the two former questions to the County Courts where such cases may fall out.

For the better defence and security of the Castle, it is refferred to the comittee for the Castle, w<sup>th</sup> the advise of the counsil, to augment the number of souldjers there for some moneths, as they see meet, and the Treasurer of the country to pay them as the sajd comittee shall order.

Comittee for  
the Castle.

There being seuerall companies in this jurisdiction who are destitute of captaines, and this Court hauing nominated & appointed gentlemen to supply that vacancy, this Court doth earnestly desire these hono<sup>rd</sup> gen<sup>tn</sup> will please to comply w<sup>th</sup> the actings of the Court herein, & to accept of comissions accordingly.

Vacancy of  
capt<sup>l</sup> supplied,  
A.C.

Mr Humphry Davy, Cap<sup>t</sup> John Richards, Mr James Russell, Mr Anthony Stoddard, & Cap<sup>t</sup> Daniel Fisher, being appoynted by this Court in October last as a comittee to examine the last Treasurers accounts, which hitherto, for some reasons, hath not binn effected, this Court judgeth it meete to reimpower

Comittee to  
take the Treas-  
urers acco<sup>ts</sup>.

1680. the aforesajd gentlemen to the worke to which they were then called, and to take in the sajd accounts the last Tuesday in September next, vpon which day the comittee shall meet to proceed in y<sup>t</sup> worke, that so it may be ready when called for.

19 May.

Mr Pinchon &  
Mr Jos. Dudley  
a comittee to  
joyne in runing  
of y<sup>e</sup> ljne be-  
tween vs & Co-  
necticot.

27 May. Vpon consideration of a letter received from the Gouvernor & council of the colony of Conectiot, dated 27 of May, ins<sup>t</sup>t, 1680, the Court judgeth it meete to agree w<sup>th</sup> them in the motion for the runing of the ljne betweene the two colonies, begining at the bounds betweene vs & Pljmouth, and in pursuance thèreof, doe desire, appoint, & authorize Major Jn<sup>o</sup> Pynchon & Joseph Dudley, Esq<sup>s</sup>, to be a comittee to joyne in the worke, w<sup>ch</sup> they are to pursue w<sup>th</sup> as much specede as may be, giving notice to them of Conecticot of the time when they will attend it, & agreeing w<sup>th</sup> a meete artist to be improoved, & providing all other assistance & necessarjes as they shall see meete.

22 May.

The Court, on perysall of his maj<sup>t</sup>jes letter rec<sup>d</sup> by our agents, ordered the letter here on y<sup>e</sup> other side to be sent to the Earle of Synderland, secretary of state, &c.

[\*265.]

Courts letter to  
y<sup>e</sup> Earle of  
Sunderland.

\*Right honno<sup>ble</sup>: —

Vpon the arrivall of our late worthy agents, bringing w<sup>th</sup> them his majestjes comānds conteyned in his gracious letter of July 24, 1679, our Governo<sup>r</sup> convened the Gennerall Court, vnto whom, at their meeting, he communicated the same, vpon the receipt whereof, in obedjence therevnto, it was forthwith ordered, that there should be a filling vp of the number of Assistants by charter required; that all military comissions should run in his maj<sup>ties</sup> name; that all persons coming to any priuiledge, trust, or office take the oath of allegiance, all which is accordingly practised; and as to the province of New Hampshire, all comissions for government there, by us formerly granted, are recalled. Our Go<sup>v</sup>no<sup>r</sup> hath also taken the oath prescribed for the observation of the acts concerning trade and navigation. But such was the extremity of the season that a considerable number of the members of the sajd Gennerall Assembly could not possibly attend, thereby occasioning the defferring the further consideration of the remayning particulars of his majestjes letter vntill this present Court of Election, wherein we are newly assembled, although prevented of making further answer thereto at present, by reason of the suddaine departure of the ship by w<sup>ch</sup> wee convey this.

And whereas wee haue binn accused of a severe hand lajd by us vpon his majestjes subjects of the Province of Majne, in consequence of our late purchase, wee know no colour for that complajnt, it being well knowne that, as they haue binn formerly an expence and no gajne to us, and more particu-

larly in the late warr, deffended from vtter ruine at our charge, amounting to many thousands of pounds, and losse of many liues, so, since that time, there hath been no kind of imposition, taxe, or burden lajd vpon them, but their great bennefit and welfare procured, as wee suppose their oune free addresse to his majesty will declare; so that wee trust, vpon a more full information, his majesty will not see cause to disapprooue of what hath binn donne.

1680.

22 May.

Sr: his maj<sup>ties</sup> favour in licencing of our worthy agents to returne w<sup>th</sup> the continuance of our p<sup>sent</sup> constitution, and expression of his gracious incljnation to haue all o<sup>ur</sup> past erro<sup>r</sup>s and mistakes forgotten, and our condition so amended that neither our settlement nor the mindes of his good subjects here might be shaken, vpon the complaints of those that seeke our disquiet, doth greatly oblige us to duty and obedience; and wee returne his maj<sup>ty</sup> our most hvmble thanks for the same, euer praying for the preservation of his royall person, and for the prosperitje and long continuance of his reigne. Thus crauing yo<sup>r</sup> honno<sup>r</sup>s favo<sup>r</sup>able representation hereof to his maj<sup>ty</sup>, & pardon for this our *our* trouble, wee remajne,

Right honn<sup>ble</sup>,Yo<sup>r</sup> lordships most hvmble servants,

S. B.

The Gofino<sup>r</sup> & Company of y<sup>e</sup> Massachusetts Bay in New England.Boston, 22<sup>th</sup> May, 1680.

Was supscribed to the Right Honno<sup>r</sup>able Robert, Earle of Sunderland, one of his majesties principall secretarjes of state, these p<sup>sent</sup>, sent by M<sup>r</sup> Joales, & also by M<sup>r</sup> Jenner.

\*This Court, being informed that there is a publick meeting house erected in Boston, where some doe ordinarily meete, contrary to the law of May, 1679, (prohibbeting all persons whatsoever to erect a publick meeting house w<sup>th</sup>out the consent of the freemen of the toune first obteyned, or licence of the County Court, or speciall order of the Gennerall Court, as in sajd order is exprest,) did order, that three or more of sajd company be su<sup>m</sup>oned to appeare before this Court in the morning, at nine of the clock, to make answer for their so doing. Accordingly warrant issued out, the partjes were su<sup>m</sup>oned, and Phillip Squire, Edward Drincker, & John Russell, with some others, appeared before the Court at the time, and after their deffence made withdrew, sent in their humble peti<sup>cion</sup>, humbly desiring the Courts favour, &c. After the Court had heard their answers & pleas, pervsed their petition, and what else was produced, the persons being called in, the Courts sentence, in

[\*266.]

Courts censure  
of the Anna-  
baptists.

11 June, 1680.



1680.

11 June.

the name of y<sup>e</sup> Court, was published to them, y<sup>t</sup> y<sup>e</sup> Court, in ans<sup>r</sup> to their petiçōn, judged it meete and ordered, that the petiçōners be admonished by the present honnoured Gofino<sup>r</sup> for their offence, and so granted them their petition so farr as to forgiue their offence past, but still prohibited them as a society of themselves, or joyned with others, to meet in that publick place they haue built, or any other publick house, except such as are allowed by lawfull authoritje; and accordingly the honno<sup>r</sup>ed Gofino<sup>r</sup>, in open Court, gaue them their admonition.

Sentence ag<sup>t</sup>  
Edmond  
Bridges.

Information being given to this Court by seuerable considerable persons in Salem against Edmond Bridges, who complaine against him as a disturber of the peace & quiet of the sajd toune, & promoter & mannager of vnrighteous & vexatious suites, & labouring to make factions in toune meetings, vpon which complaints this Court caused the sajd Bridges to appeare before them, for the suppressing of the insolvency of sajd Bridges, this Court, after a full hearing of the case & pleas made by him, doeth heereby order & declare, that it shall not henceforth be lawfull for him to plead any case in any civil judicature but his ounce, and is also heereby debarred from libertje of voting in any toune affajres, and be vncapeable of bearing any civil or military office in sajd toune, according as the law directs, title Touneshippes, sectiō the 4<sup>th</sup>, and all this during the pleasure of this Court.

Ans<sup>r</sup> to New-  
bery petiçōn for  
a schoole & 60<sup>th</sup>  
p<sup>r</sup> annu.

In ans<sup>r</sup> to the petiçōn of seuerall inhabitants of Newbery, as M<sup>r</sup> Jn<sup>o</sup> Woodbridge, Joseph Hills, Anthony Som<sup>r</sup>sby, Rich<sup>d</sup> Dumer, & others, the Court judgeth it meete to order & impower the selectmen for the toune of Newbery, for the encouragment of learning & maintenance of the schōle master there, to take effectuall care to rayse, by way of rate on the inhabitants, the some of sixty pounds p annū, to be y<sup>e</sup> sallery of the schoole master there.

[\*267.]

Ans<sup>r</sup> to Jn<sup>o</sup>  
Mans, W<sup>m</sup>  
Hoares peti-  
çōn as loafe  
bread bakers.

\*In ans<sup>r</sup> to the petiçōn of John Man, George Dauson, Thomas Skinner, & W<sup>m</sup> Hoare, loafe bread bakers in Boston, it being asserted that the former cōmittee, John Richards, Esq<sup>r</sup>, M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Thomas Bratle, & Cap<sup>t</sup> Lawrence Hamōnd, made not their return of their experiment to the Court, therefore they are againe impowred a cōmittee further to consider and make theire farther experiment at the chardge of the petiçōners, and are ordered to make their retu<sup>r</sup>ne to the next session of this Court for theire further consideration.

Ans<sup>r</sup> to W<sup>m</sup>  
Jones, Esq<sup>r</sup>,  
petiçōn, 500  
acres land  
granted, &c.

In ans<sup>r</sup> to the petiçōn of Cap<sup>t</sup> Lawrence Hamōnd, on behalfe of Willjam Jones, Esq<sup>r</sup>, the Court judgeth it meet to grant to the heires of that worthy gent<sup>n</sup>, Theophilus Eaton, Esq<sup>r</sup>, five hundred acres of land in any part of our jurisdiction free from former grants & not prejudicing plantations.

In ans<sup>r</sup> to the petiçôn of Joseph Phippen, Francis Neale, Señ, Georg Ingersoll, John Pickering, Jn<sup>o</sup> Marston, Robert Nickles, Jn<sup>o</sup> Ingersol, Jn<sup>o</sup> Wales, Nathani<sup>l</sup> Wales, Francis Neale, Juñ, John Johnson, John Royall, Jonathan Putman, humbly desiring this Court to grant them a plantation at the bottom of Casco Bay, on a riuer called Swegustagoe, &c, the Court, consisting of the Goñno<sup>r</sup> & Company, judgeth it meet to grant the petiçõners five miles square, to be allotted out for a touneship, & two of the islands adjacent to the place propounded for by the petiçõners, and doe order, that a comittee be impowred for the enterteyning of inhabitants and granting of allotments, and laying out the bounds of the sajd tounce, and no Indian purchase formerly or heereafter to be made shall give interest to any person in sajd lands but by the approbation and allowance of the sajd comittee, reserving to the Goñno<sup>r</sup> & Company the royaltjes & priuiledges due by charter to the cheife lord proprio<sup>r</sup>, & a farme of three hundred acres in any place where the præsident of the sajd province shall appoint & choose; and all this vpon condition that they setle twenty or thirty familjes, with an able minister, within two yeares; also, they shall allow, as an acknowledgment of the Goñno<sup>r</sup> & Company, or the cheife proprio<sup>r</sup>s by his majestjes charter, after the first seven yeares are expired, five beaur skins p annū.

1680.

11 June.

Ans<sup>r</sup> to Joseph Phippen, &c.

A new plantation of 5 miles square granted at Casco Bay.

In ans<sup>r</sup> to the petiçôn of John Hayward, it is ordered, that he be continued for postmaster, to receive in letters & take care for the sending of them to the ouno<sup>r</sup>s according to superscription, till this Court take other order; and that all masters of ships or other vessells doe, vpon their arrivall, send their letters that come in the bagg to the sajd post office, except as they shall particularly take care to deliuer w<sup>th</sup> their oune hands; that the sajd Hayward, or post master, be allowed for euery single letter one penny in money, & for euery packet of two or more two pence in money.

Ans<sup>r</sup> to Jn<sup>o</sup> Hayward's petiçôn.

\*In answer to the petition of Clement Grosse, humbly entreating this honno<sup>ble</sup> Court to take his distressed condition into their pious & judicious consideration, and notw<sup>th</sup>standing the pretended deed of sale or entaylement to his children, w<sup>ch</sup> was neuer any act of his, nor of those that had power to entajle it, & hauing giuen so largely to his children, i. e., two hundred pounds apeece, and hauing nothing left him to majneteyne himself, wife, & children, when all his debts are pajd, w<sup>ch</sup> will not be aboue eighty pounds, w<sup>ch</sup> he gladly would haue his wife to haue to improove for his, hir, & fower childrens best comfort, God hauing made this honnoured Court his refuge, that hath not a talent otherwise to deffend from fraud easily by writtings fastned on him that neuer read any, doubts not of your judicious care, who will see the justnes of yo<sup>r</sup> petiçõners request, and confirme the sale of the land to the

[\*268.]

Ans<sup>r</sup> to Clem<sup>nt</sup> Grosse petiçôn.

1680.

11 June.

Ans<sup>r</sup> to Mead-  
feilds petiçon,  
&c, Sherborn  
to haue a pro-  
portion.

buyer, that so your petiçoner may yett liue, the Court, in answer therevnto, declares, the petiçoner hath full power to make sale of the lands heerein mentioned, this annext pretended entablement notw<sup>th</sup>standing.

In ans<sup>r</sup> to the petiçon of Jn<sup>o</sup> Partridge, W<sup>m</sup> Allen, Joseph Warring, and nineteen more inhabitants of Meadfeild, the Court judgeth it meete to remitt vnto the ffull of what is desired, viz<sup>t</sup>, oñ hundred and twenty pounds, provided that the inhabitants of Meadfeild and Sherborne haue the bennefit of this grant in way of just proportion to their losses; and it is ordered, that Cap<sup>t</sup> Daniel Fisher, Cap<sup>t</sup> Prentice, Cornet Timothy Dught, & Sarjant Richard Ellice, see that it be disposed, not only amongst the petiçoners, but such as they shall see meet in sd toune of Meadfeild, as sd comitteee shall determine, Cap<sup>t</sup> Fisher to appoint time & place of meeting.

Ans<sup>r</sup> to W<sup>m</sup>  
Griggs petiçon.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Griggs, the Court judgeth it meete to allow the sale of the house & land mentioned, provided said Griggs give other security to the satisfaction of the County Court for Suffolke, for the payment of debts & the childrens portions.

Ans<sup>r</sup> to M<sup>r</sup> Jon-  
athan Wades  
petiçon, 10<sup>th</sup> p<sup>d</sup>  
by M<sup>r</sup> Wade.

In ans<sup>r</sup> to the petiçon of M<sup>r</sup> Jonathan Wade, &c, the Court judgeth it meete to grant the petitioners a hearing the next sixth day, at nine of the clocke, & that due notice be give to all persons concerned to attend the issue. The partjes appeared. It is ordered, that the last sentence or judgment of the Gennerrall Court in October, relating to the last will & testament of the late Samuel Symonds, Esq<sup>r</sup>, be revoakt, & that tenn pounds be pd for the hearing.

Ans<sup>r</sup> to Antho-  
ny Checkleys  
petiçon.

In ans<sup>r</sup> to the petition & request of M<sup>r</sup> Anthony Chekly for the resolution of the question therein proposed, the Court judgeth it meet to declare, that the petiçoner ought to beginn his action by revejw in a County Court, as is vsuall in other cases.

[\*269.]

Ans<sup>r</sup> to M<sup>r</sup>  
Heymans peti-  
çon.

\*In answer to the petiçon of M<sup>r</sup> John Heyman, of Charls Toune, the Court declares the petiçoner hath the law open for him, and that if he makes any clajme to the estate, he ought to sue the execcutor of James Elson for the estate granted to said Elsons wife & heires, and to haue the same determined for him on behalfe of the heires, vnless, as is pretended, the said Elsons execcutors cann in law ballance, or make James Elsons first will null & voyd by an after will, or other legall barr.

Ans<sup>r</sup> to M<sup>rs</sup>  
Margery  
Flynts petiçon.

In ans<sup>r</sup> to the petiçon of M<sup>rs</sup> Margery Flynt, executrix to the late M<sup>r</sup> Samuell Shephards, formly pastor of Rouley, his last will, the Court judgeth it meet to grant hir request, i. e., liberty to the petiçoner, as is desired, to make sale, provided she exchange it for land, or purchase lands to the value, as shee sees cause.

Ans<sup>r</sup> to Sarah  
Joanes petiçon.

In ans<sup>r</sup> to the petition of Sarah Jones, widdow, relict of Thō Joanes, the



Court judgeth it meet to referr the determination of what is therein desired (being informed that the thing desired is inconsiderable) to the County Court at Cambridge, to doe as they shall judge meet therein, by sale or otheruise. 1680.

11 June.

In ans<sup>r</sup> to the petiçõn of Thomas Martjn, of Marlborough, hvmbly desiring liberty from this Court to purchase some land of the Indians there, the Court see cause to grant the petiçõner his request, i. e., liberty to purchase of the Indian proprietors what he mooves for, so as Major Gookin or M<sup>r</sup> Elliot approve of the sale and laying it out.

Ans<sup>r</sup> to Thomas Martyns petiçõn.

In ans<sup>r</sup> to the petiçõn of Samuel Foster, leiftenn<sup>t</sup> at Chelmsford, to lay doune that place or office, the Court grants his request.

Samuel Foster layd doune his leift<sup>ant</sup> place.

In ans<sup>r</sup> to the petition of Mary King, relict widdow of Mark King, the Court judgeth it meete; and doe hereby order, that it be left to the County Court of Midlesex, who are heereby empowred to doe, in ans<sup>r</sup> to what is hereby desired, as they shall see meete.

Ans<sup>r</sup> to Mary Kings petiçõn.

In ans<sup>r</sup> to the petition of Elizabeth Mather, the Court judgeth it meete to referr the matter of this peñion to the County Court of Suffolke, impowring them to grant and order therein what they judge æquall & expedient.

Ans<sup>r</sup> to Elisa Mathers petiçõn.

In ans<sup>r</sup> to the petition of Isaack Hill, & Sarah, his wife, the Court judgeth it meete to referr the petiçõners to the County Court of Midlesex for confirmation of what is desired therein.

Ans<sup>r</sup> to Isaack Hills petiçõ. Mem<sup>r</sup> 2. 6.

In ans<sup>r</sup> to the petiçõn of Basheba Bale, the Court judgeth it meet to grant the petiçõn, for to be directed & ordered by the County Court in Suffolke, in the sale of lands for the ends proposed.

Ans<sup>r</sup> to Bathsheba Bales petiçõn. Mem<sup>r</sup> 2. 6.

In ans<sup>r</sup> to the petiçõn of Elizabeth Weeks, the Court referrs the petiçõner to the County Court of Suffolke, to act in it as they see meet, if the petiçõn be in tẽrmes as it is presented.

Ans<sup>r</sup> to Eliza Weeks peti.

\*It is ordered by this Court, that the prison houses in Boston, and fences about the same, be forthuith repaired or rebuilt, as shall appeare necessary, and M<sup>r</sup> Anthony Stoddard, Cap<sup>t</sup> Elisha Hutchinson, & Cap<sup>t</sup> Jn<sup>o</sup> Walley are appointed a cõmittee for the taking order w<sup>th</sup> workmen to effect the same, & the charges to be borne, two thirds by the country, and one third by the county, & the Tresurers are accordingly to make payment as the sajd cõmittee shall order. [\*270.]

Cõmittee to re-  
paire the pris-  
on, &c.

For a finall settlement of the estate of the late Captaine Lauthrop, this Court, hauing heard the pleas of the partjes concerned, doe determine, that the widow, now uife to Joseph Grafton, enjoy the whole moveable estate to hir oune vse & dispose, paying thereout the sajd Lawthrops debts, and twenty pounds to the children of Joshua Rey, and that she haue the whole vse and bennefit of the houses & lands for hir life, making no strip nor wast, and at

Courts judg-  
ment inter M<sup>r</sup>  
Cheevers & M<sup>r</sup>  
Grafton as to  
Cap<sup>t</sup> Lauthrop  
estate.



1680.

11 June.

Courts judgm<sup>t</sup>  
inter Beilly &  
Wenham.

hir death the whole reall estate to revert to the uife of M<sup>r</sup> Ezekiell Cheevers, & hir issue, heires of the sajd Captaine Lawthrop. The costs for hearing of this case was determind to be five pounds, w<sup>ch</sup> M<sup>r</sup> Ezekiell Cheevers payd.

In the case of Beverly, by their deputy, M<sup>r</sup> W<sup>m</sup> Dodg, Paul Thorndick, &c, ag<sup>t</sup> Cap<sup>t</sup> Th<sup>o</sup> Fiske, &c, for the toune of Wenham, after the pleas made & evidences produced in the case, the Court declared for the deffend<sup>t</sup> the lands in controuersy, & costs of Court; & the costs for Beuerly to pay to be five pounds, w<sup>ch</sup> was p<sup>d</sup>.

Courts judgm<sup>t</sup>  
inter Salem &  
Wenham.

In the case of M<sup>r</sup> Jn<sup>o</sup> Putnam, M<sup>r</sup> Gardiner, Joseph Porter, &c, in behalfe of the toune of Salem, plaintiffe, against the toune of Wenham, deffend<sup>t</sup>, after the Court had heard their pleas, & perused the evidences produced, they declared their judgment for the deffendant, & that Salem pay five pounds costs, w<sup>ch</sup> was p<sup>d</sup>.

Courts judgm<sup>t</sup>  
as to 5<sup>th</sup> an<sup>r</sup> of  
M<sup>r</sup> Wades pe-  
ticion, &c.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of M<sup>r</sup> Jonathan Wade, &c, the Court granted the peti<sup>ti</sup>oners a hearing the next sixth day, at nine of the clocke, & ordered, that due notice be given to all persons concerned to attend the issue. The parties concerned, M<sup>r</sup> Jonathan Wade, & his daughter Mary Symonds, and M<sup>r</sup> Dan<sup>i</sup> Epps, M<sup>r</sup> Harlakenden Symonds, & M<sup>rs</sup> Rebeckah Symonds, &c, appeared at the time.

It is ordered, that the last sentence or judgment of the Gennerall Court in October, relating to the last will & testament of the late Samuel Symonds, Esquire, be revoakt, & that M<sup>r</sup> Wade pay tenn pounds for the hearing of the case, w<sup>ch</sup> was donn.

[\*271.] \*Gentlemen: —

Courts act as  
to arrears in  
Hampshire,  
Hampton, &c.

Information being given to this Court by our country Treasurer & others that there is money still due to our tresurje from some of your inhabitants and plantations, vpon rates & judgments that in former Courts, before your going from this gouernment, were obteyned against seuerall of the inhabitants, w<sup>ch</sup> are not yett sattisfied; and besides that, vpon your settlement, a person that was in Norfolke prison, vpon execution for debt, did make his escape, and that many judgments are not yet sattisfied in particcular cases, and there is mony still due from the county of Norfolke, formerly so called, to seuerall persons for entertinement of the County Courts there, which M<sup>r</sup> Dalton, the Treasurer that then was, hath not yet dischardged; our desire to yourselues is, that some effectuall care, by yo<sup>r</sup> authority, may be taken, that the dues to our treasury vpon former expences may be honestly p<sup>d</sup> in, and order taken for the sattisfaction of judgments obteyned by particular men against persons and delinquents living w<sup>th</sup>in your ljmits, according to the custome and law which

such persons were then vnder ; and that those of your townes that did then belong to Norfolke maybe ordered to pay what they are behind hand in their country rates & fines, for the defraying of the Court charges and debts due from that county. W<sup>th</sup> our kind respects to yo<sup>r</sup>selues,

1680.

11 June.

Remajne, gen<sup>tn</sup>,Yo<sup>r</sup> very lō freinds & neighbours,The Go<sup>vn</sup>r & Comp<sup>ã</sup> of y<sup>e</sup> Massachusetts,& signed by y<sup>e</sup>ir order,EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.Boston, 20<sup>th</sup> of May, 1680.

The Court, hauing considered of the proposalls made by Left W<sup>m</sup> Clarke, in behalfe of Northampton, relating to peace w<sup>th</sup> Indians, &c, doe judge the reasons given for a compliance w<sup>th</sup> the Indians are weighty, and that if there shallbe any future motions made by such as are considerable amongst them, it ought not to be slighted, but so farr taken notice of as may be suiteable for the honno<sup>r</sup> of the English, and yet not discouraging to them, and therefore doe judge meete that the County Court of Hampshire shall and heereby are impowred, so farr as it concernes that county, to receive any motions which shallbe made by any such Indians tending to peace, & haue full power to propound and conclude of such termes as maybe by them judged most conduceable to the safty of the English there ; and that all such Indians as already are or heereafter may come in shall not reside w<sup>th</sup>in the precincts of any toune w<sup>th</sup>out liberty first had and obteyned of the select men of the sajd toune.

Courts act as  
to peace w<sup>th</sup> the  
Indians.

In ans<sup>r</sup> to the peti<sup>ti</sup>ōn of Katherin Mau<sup>er</sup>ricke, relict widow of John Mau<sup>er</sup>rick, late of Boston, it is ordered, that the County Court for Suffolke do act in the case, & grant liberty of sale as they shall see meete for the ends proposed in sajd peti<sup>ti</sup>ōn.

Ans<sup>r</sup> to Kath-  
erin Mau<sup>er</sup>ricks  
peti<sup>ti</sup>ōn.

\*In ans<sup>r</sup> to the petition of George Minot, it is ordered, that the County Court for Suffolke, vpon consideration of the debts due from the estate, be impowred to grant & giue order for the sale of so much lands as may be necessary for payment of the sajd debts, not at all intrenching vpon the widowes thirds, due to her according to lawe.

[\*272.]

Ans<sup>r</sup> to George  
Minots peti-  
ti<sup>ti</sup>ōn.

In ans<sup>r</sup> to the petition of M<sup>rs</sup> Margery Flynt, widdow, & M<sup>r</sup> Josiah Flint, execcutrix & execcutor of the late Re<sup>u</sup>nd M<sup>r</sup> Henry Flints will, &c, the Court judgeth it meete to grant the peti<sup>ti</sup>ōners request, they giving caution to the County Court for Suffolke to allow such a proportion of the

Ans<sup>r</sup> to M<sup>r</sup> Jo-  
siah Flints, &c,  
peti<sup>ti</sup>ōn.

1680. price thereof to the other children of the 3d Henry Flynt, deceased, as shall be orderly determined.

11 June.  
Ans<sup>r</sup> to Leif  
Greenleafs  
peti<sup>c</sup>on.  
Ans<sup>r</sup> to Cap<sup>t</sup>  
Tho. Hinch-  
man, &c.

In ans<sup>r</sup> to the petition of Leiftenñt Enock Greenleaf, the Court refferrs the consideration of the peti<sup>c</sup>on to the com<sup>i</sup>tee for wounded men.

In ans<sup>r</sup> to the peti<sup>c</sup>on of Cap<sup>t</sup> Thō Hinchman, it is ordered, that the Tresurer pay vnto the said Cap<sup>t</sup> Hinchman eighty three pounds tenn shillings and eight pence agreed vpon by the com<sup>i</sup>tee of militia, vnless, to his oune satisfaction & content, he cann present a free parcell of land betweene this and October next to the Court, for their confirmation instead thereof.

Return of the  
com<sup>i</sup>tee as to  
M<sup>r</sup> Haugh; es-  
tate.

In pursuance of an order of the honno<sup>r</sup>ble Geñ Court, October 15, 1679, refferring to the estate of the late M<sup>r</sup> Samuel Haugh, wee finde the debts cleare and vdeniable are five hundred forty pounds & vpwards, the estate to lye in mooveables to value of one hundred & thirty three pounds nine shillings & sixe pence, much of it spent; the remainder cannot be sold w<sup>th</sup>out bringing the widdow & children into distresse; the other remayning estate, in a house in Boston, in w<sup>ch</sup> M<sup>rs</sup> Brock, mother of said Haugh, is tennant for life; the other p<sup>t</sup> is a farme in Cambridge bounds, both which house & farme are devised by the last uill of Samuel Haugh, father to the late Samuel, & the heires of his body lawfully begotten, w<sup>ch</sup>, if this Court judge to be an enteyle, and that the lands cannot be sould, the debts consequently must remajne vnpayd, to the great greife of relations, and prejudice of the memory of the deceased, & damage to the credito<sup>r</sup>s.

JOS: DUDLEY,  
JOHN RICHARDS,  
JOHN HULL.

Courts act  
therevpon.

The Court, on consideration of the will of the abouesajd Haugh, doe judge the lands may be sold for the payment of debts, the entayle notw<sup>th</sup>-standing, and empower the ad<sup>m</sup>istratrix, w<sup>th</sup> the consent of the County Court for Suffolke, to dispose and sell part thereof for the ends abouesajd.

Ans<sup>r</sup> to James  
Dennis peti<sup>c</sup>on.

In ans<sup>r</sup> to the petition of James Dennis, the Court judgeth it meete to grant the petitioners request, i. e., liberty to return in to this jurisdiction againe.

[\*273.]  
Cap<sup>t</sup> Olliuer.

\*In ans<sup>r</sup> to the petition of Cap<sup>t</sup> James Olliuer, it is ordered, that he be dischargd of his captains place, according to his desire; and as to his motion as to the grant of an island in Merrimak, Cap<sup>t</sup> Samuel Addams & Leiftenñt

W<sup>m</sup> Johnson are heereby desired to make inquiry concerning the said island, & y<sup>e</sup> contents thereof, whither it be in the Courts power to dispose of, & to make returne vnder their hands of what they finde to the next session of this Court.

1679.

11 June.

Leiuetenñt W<sup>m</sup> Clarke, Leif<sup>t</sup> Sam<sup>l</sup> Smith, & Cap<sup>t</sup> Aron Cooke, returned for associats for the Countje Courts in Hampshire for the yeare ensuing, were allowed & approved of by the Court.

Associats for  
Hampshire.

Cap<sup>t</sup> Elisha Hutchinson is appointed cap<sup>t</sup> to the floote company lately belonging to Cap<sup>t</sup> James Olliuer, & Cap<sup>t</sup> Jn<sup>o</sup> Walley is appointed leiftenñt, & John Haward to be ensigne to the said company.

Elisha Hutch-  
inson cap<sup>t</sup>, Jn<sup>o</sup>  
Walley leif<sup>t</sup>, Jn<sup>o</sup>  
Haward en-  
signe to Cap<sup>t</sup>  
Olli<sup>u</sup> company.

In ans<sup>r</sup> to the petition of Hannah Walker, relict widdow of the late John Walker, the Court conceives that the petitioner or execcutrix of John Walker hath full power, according to the uill, to make sale of the house and land mentioned for the end proposed, w<sup>th</sup>out any act of this Court.

Ans<sup>r</sup> to Han-  
nah Walkers  
peti<sup>o</sup>n.

This Court, being informed that M<sup>r</sup> W<sup>m</sup> Hubbard hath taken paynes in compiling a history of New England, doe order, that our honored Go<sup>v</sup>nor & W<sup>m</sup> Stoughton, Esquire, Cap<sup>t</sup> Daniel Fisher, Lieu<sup>t</sup> W<sup>m</sup> Johnson, & Cap<sup>t</sup> W<sup>m</sup> Torrey be a comitte to pervse the same, & make returne of their opinion thereof to the next session, that the Court may then, as they shall then judge meete, take order for the impression thereof.

Comitte as to  
M<sup>r</sup> Hubbards  
history.

In ans<sup>r</sup> to the petition of John Warner, of Springfield, the debt claymed being already vpon Hadley account, & the payment already ordered by this Court, & the disbursments arrising vpon that w<sup>ch</sup> in that time they could not haue disposed of to any advantage, the Court judgeth it inconvenient to alter the way of payment.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Warners peti-  
o<sup>n</sup>.

In ans<sup>r</sup> to the petition of Nathaniel Bert, of Springfield, the petitioner seem<sup>g</sup> to oune the receipt of the s<sup>u</sup>me mentioned, for provissions disbursed by him in warr time, but as he saith not in spetia couenanted, for w<sup>ch</sup> couenant appeares not, & ouning he hath received at Springfield, as the rates did arise, the Court sees not cause to grant his peti<sup>o</sup>n, judging he hath binn better dealt w<sup>th</sup> then others of his neighbours, nor doeth the Court see cause for any allowance of forbearance.

Ans<sup>r</sup> to Nath<sup>l</sup>  
Berts peti<sup>o</sup>n.

\*In ans<sup>r</sup> to the peti<sup>o</sup>n of the floote company at Marblehead, the Court judgeth it meet to grant Richard Norman, John Legg, and Nathaniel Walton to be ffreemen, being testified that they are quallified as the law requires for freedome, and doe appoint Richard Norman to be leiftenñt, & John Leg to be ensign to the company there.

[\*274.]

Ans<sup>r</sup> to Mar-  
blehead peti-  
o<sup>n</sup>, Ric<sup>d</sup> Nor-  
man leif<sup>t</sup> & Jn<sup>o</sup>  
Legg ensigne.

In ans<sup>r</sup> to the peti<sup>o</sup>n of John Gifford, the Court judgeth it not convenient, much less legall, to grant him a hearing at the Gennerall Court, when

Ans<sup>r</sup> to M<sup>r</sup>  
Giffords peti<sup>o</sup>n.



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Ans<sup>r</sup> to Mary  
Sandersons pe-  
tition.

the cause, since the last trjall at the County Court, hath not past thorough all inferiour Courts, but leaue the petitioner to take his remedy in law by bill of revejw of the sajd case.

In ans<sup>r</sup> to the petition of Mary Sanderson, the Court declares that the petitioner is impowred to demand, receive, & give discharge to Deacon Allen of such estate as she receives that was formerly Augustin Lyndons.

Jn<sup>o</sup> Coney en-  
signe.

John Coney is appointed ensigne to Capt Thomas Sauage his company.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Musgraues pe-  
tition.

In answer to the petition of Jabez Musgraue, a wounded souldier in the late warr, the Court judgeth it meet to grant the petitioner tenn pounds in rate pay, to be payd by the Tresurer.

Ans<sup>r</sup> to Row-  
ley motion.  
Thirells bridge  
made a county  
bridge.

In ans<sup>r</sup> to a motion for the selectmen of Rouley for the setting free of a bridge now obstructed in the county of Essex & bounds of Newbery, once a county bridge, now in the hands of a particullar, the Court sees meete to grant their desires, & doe order the sajd bridge to be free, & be a county bridge againe, and what hath binn expended by any particullar person for the repaying thereof to be payd or repayd them by the sajd county.

Portsmouth, in y<sup>e</sup> Province of New Hampshire, March 25, 1680.  
Much honored : —

The late turne of Prouidence made amongst us by the all ordering hand, hath given occasion for this p<sup>s</sup>ent application, wherein wee craue leaue, as wee are in duty bound, —

1. Thankfully to acknowledge your great care for us & kindnes towards us while wee dwelt vnder your shadow, ouning ourselues deeply obliedged that yow were pleased, vpon our earnest request & supplication, to take us under your government, and ruled us well whilst wee so remajned, so that wee cannot give the least countenance to those reflections that haue binn cast vppon yow, as if yow had dealt injuriously with us.

2<sup>ly</sup>. That no dissatisfaction w<sup>th</sup> your government, but meerey our submission to diuine Prouidence, to his maj<sup>ties</sup> comānds, to whom wee owe allegiance, without any seeking of our oune, or desires of change, was the only cause of our complying w<sup>th</sup> that present seperation from yow that wee are now vnder, but should haue heartily rejoyced if it had seemed good to the Lord & his maj<sup>ty</sup> to haue settled us in the same capacity as formerly.

[\*275.]

Mr Cutts præs-  
ident of Hamp-  
shires letter to  
y<sup>e</sup> Court.

\*3<sup>ly</sup>. And withall wee hold ourselues bound to signifye that it is our most vnfeigned desire that such a mutuall correspondence betwixt us may be settled, as may tend to the glory of God, the honno<sup>r</sup> of his majesty, whose subjects wee all are, & the promoting of the comō interest & deffence against the comō ennemy, that there by our hands may be strengthened, being of

ourselves weake, & few in number, and that if there be opportunity to be anywise serviceable vnto yow, wee may shew how ready wee are thankfully to imbrace the same.

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Thus wishing the presence of God to be w<sup>th</sup> yow in all yo<sup>r</sup> administrations, & crauing the bennefit of yo<sup>r</sup> prayers, & endeavo<sup>r</sup>s for a blessing vpon the *the* heards & hearts of us, who are seperated from o<sup>r</sup> brethren, wee subscribe,

JOHN CUTT, President.

W<sup>th</sup> the consent of the Council & Gen<sup>all</sup> Assembly.

Supscribed,

To the Honno<sup>ble</sup> Gou<sup>no</sup>r & Council of the Massachusetts Colony, to be communicated to the Ge<sup>nl</sup> Court, hum<sup>b</sup> present, in Boston.

This foregoing letter of y<sup>e</sup> President, Council, & Ge<sup>n</sup> Assembly of New Hampshire, so directed to the Massachusetts, was read in Gen<sup>all</sup> Court May 22<sup>th</sup>, 1680, and ordered to be recorded, & kept on file.

As attests

EDW<sup>d</sup> RAWSON, Secret<sup>r</sup>.

In ans<sup>r</sup> to the humble motion of the troope lately granted by this honoured Court to be in Hingham, that the honoured Court would be pleased to make a setlement of the cheife officers & com<sup>and</sup>ers of the sajd troope according to law, the Court judgeth it meete to grant their request, and appoints John Thaxter to be capitaine, Samuel White leiften<sup>nt</sup>, and Mathue Cushin cornet to the sajd troope, so as the sajd Mathue Cushin take the oath of freedome.

Ans<sup>r</sup> to Hingham troops motion.

J<sup>n</sup> Thaxter capitaine, Samuel White leift, Mathew Cushin ensigne thereof.

The Court judgeth it meete to order, that the Treasurer, M<sup>r</sup> James Russell, be impowred for the ffollowing yeare to haue the mannagement of the whole affaire of gathring the rates vpon wines, licquo<sup>r</sup>s, as the law prouides, and that Joseph Dudley & John Richards, Esq<sup>s</sup>, be a com<sup>it</sup>tee to assist him in making contracts w<sup>th</sup> the tauerno<sup>r</sup>s or others as they did the last yeare, he expecting no more for his service as Tresurer then the bennefit acrewing by the impost.

Tresurer Russell's recompence.

M<sup>r</sup> Dalton:—

By the petition of John Seuerance, wee vnderstand that the late county of Norfolke is indebted to him, for the entertejnment of the County Court, neere eightene pounds. Wee are also informed that the last County Court at Salisbury did lay a rate vpon the county for the defraying of the charge of the County Court, which \*was com<sup>it</sup>ted to your care, as Tresurer of the county, to collect for the defraying the aforesajd charge, which, by

Courts letter to M<sup>r</sup> Samuel Dalton, late Tresurer of Norfolke.

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reason of the taking of the fower townes in New Hampshire by his majesties order, hath not binn attended as it ought to haue been. Wee haue therefore thought meete to write to the præident & council of New Hampshire about that affaire and other concernes, that they would please to take effectuell order that all dues to the government that yow did lately oune may be honestly payd and dischargd, which wee doubt not but they will see cause to provide for. Desiring & expecting your vtmost endeavour to promote so just a motion, otheruise persons concerned and injured will consider how yow, as Treasurer, are liable to respond such an engagement, so that yow may be obnoxious to that countjes credito's, which wee hope your honesty & ingenuity will prevent, wee are your loving freinds.

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.In y<sup>e</sup> name & order of the Geñll Court.

Ans<sup>r</sup> to M<sup>r</sup>  
Gershom  
Bulkeley's mo-  
tion, his satis-  
faction for cure  
of Jonathan  
Wells.

In ans<sup>r</sup> to the motion of M<sup>r</sup> Gershom Bulkeley, the Court judgeth it meete to allow him, the sajd M<sup>r</sup> Bulkely, in full satisfaction for his cure of Jonathan Wells, a wounded souldjer in y<sup>e</sup> late warr, the sume of twenty five pounds mony, or forty pounds in country pay, in the toune where he liveth, to be payd vnto him or his order by the Tresurer of the country, at his choyce.

21 mo. diet al-  
lowed M<sup>r</sup>  
Steele for  
Jn<sup>th</sup>. Wells  
diet.

The Court judgeth it meete to allow M<sup>r</sup> Samuel Steele, for 21 months diet of Jonathan Wells, a wounded souldjer, the sume of twenty one pounds, to be pajd to him or his order by the Tresurer in country pay.

Jn<sup>th</sup>. Gilbert  
allow. for Jn<sup>th</sup>.  
Wells, 8: 7: 6.

The Court judgeth it meete to allow M<sup>r</sup> Jonathan Gilbert, for thirty three weekes diet & a halfe, at five shillings p weeke, — in y<sup>e</sup> whole, eight pounds seuen shillings & six pence, — for Jonathan Wells, a wounded souldjer, to be p<sup>d</sup> to him, the sajd Gilbert, or his order, in country pay.

W<sup>m</sup> Sheffields  
40 acres lajd  
out confirmd.

The Court sees not cause to grant W<sup>m</sup> Sheffield fuety acres of land, being more then his grant, & not lajd out according therevnto, but doe judge meet that he haue his forty acres, thirty of it as it is now layd out, & tenn acres of the meadow as now lajd out by James Taylor, lying next his oune vpon a paralel line.

Ans<sup>r</sup> to Cap<sup>t</sup>  
Scottow's peti-  
tion.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Joshua Scottow, the Court judgeth it not convenient to grant the peti<sup>c</sup>ōner a hearing, since the peti<sup>c</sup>ōner & the partjes concerned are now, by late transactions, put vnder a distinct government vpon the place, i. e., the Prouince of Mayne, to which authority, if he be vnder any sufferings, he ought to apply himself, it being inconvenient & vnsafe for this Court to comānd any thenc to be judged here.

Jn<sup>o</sup> Sherman  
cap<sup>t</sup>, Jn<sup>o</sup> War-  
ren lef<sup>t</sup>, Nath.  
Coolidge sig.  
Water Toune.

\*In ans<sup>r</sup> to the petition of the trayned band at Water Toune, the Court judgeth it meete to grant their request, and doe order John Sherman to be

[\*277.]



their captaine, John Warren their leftenūt, and Nathaniel Coolidge to be their ensigne.

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In ans<sup>r</sup> to the petiōn of Richard Wayte, of Springfeild, a wounded souldier in y<sup>e</sup> late warr at Springfeild, when Lef<sup>t</sup> Cooper & others were slajne, humbly desiring that he may be freed from rates, the Court judgeth it meet to grant his request as to his head mony.

11 June.  
Ans<sup>r</sup> to Rich<sup>d</sup>  
Wayts peti-  
tion.

There was, the last Gennerall Court, liberty granted to Martha Newell, widdow, administratrix to the estate of Jacob Newell, w<sup>th</sup> the advice & consent of M<sup>r</sup> Thomas Weld & John White, to sell a part of the land belonging to sajd Newells estate, for the necessary suply of a family of smale children, the payment of debts, &c; order being mislajd, is desired to be renewed; the Court grants the request heerein.

Ans<sup>r</sup> to Martha  
Newells peti-  
on request.

In ans<sup>r</sup> to the petition of Ephraim Turno<sup>r</sup>, humbly desiring the favo<sup>r</sup> of this Court to lay doune his place or office of ensigne to Cap<sup>t</sup> Olliuers company, the Court grants his request herein, and doe appoint M<sup>r</sup> John Hayward to be ensigne to the sajd company.

Ensigne Tur-  
ner layd doune  
his place, & M<sup>r</sup>  
Jn<sup>o</sup> Howar in  
his roome.

In ans<sup>w</sup> to the petition of Rebeckah Hawkins, the Court judgeth it meete to allow hir the eleven pounds mentioned in hir petiōn, for and towards hir subsistance, and cleare of all clajmes or incombrances.

Ans<sup>r</sup> to Rebec-  
kah Hawkins  
petiōn.

In answer to the petiōn of the military company of Amesbury, crauing the Courts favour for the settlement of some meet person to instruct & lead them in military service, the Court doeth hereby dischard Phillip Challice, now leif<sup>t</sup> to the foote company of Salisbury, and doe order & appoint the sajd Phillip Challice to be leif<sup>t</sup> to the sajd military company at Amesbury.

Phillip Challice,  
left to Salisbury  
military com-  
pa., dischard-  
ed, & sajd Phil-  
lip Challice ap-  
pointed left to  
Amesbury mili-  
tary company.  
Hannaniah  
Parker ensi. to  
Redding com-  
pa.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Swajne, Lef<sup>t</sup> Damon, & John Broune, of Redding, in behalf of y<sup>e</sup> company there, the Court judgeth it meete to appoint Hannaniah Parker to be ensigne to y<sup>t</sup> foot company.

\*There appearing some thing necessary to be further donne with reffer-  
ence to the settlement of Sherborne Toune, and the well ordering the pruden-  
tialls thereof, & some dissatisfaction with refference to the placing the  
meeting house, this Court, judging it necessary to remooue all obstructions  
that may hinder their quiet & peaceable proceeding, doe appoint & impower  
Willjam Stoughton, Thomas Sauage, & John Richards, Esq<sup>s</sup>, a comittee to  
order and gouerne the prudentialls of the sajd toune for three yeares next  
cōming, as to laying out lotts & raysing of taxes.

[\*278.]

Comittee for  
Sherborn pru-  
dentialls, &c.

Ipswich, Jebacco, July 23, 1679.

The persons vnder written being a comittee of the honno<sup>ble</sup> Generall Court, as by their order, dated May 28, 1679, for the settlement of the buisnes



1680.

11 June.  
The committees  
returne abt  
Chebacco.

of Jebacco, touching the place of publick worship amongst them, and the settlement of a minister in that part of the toune for their accomodation in the worship of God & proppogation of religion amongst them, as in said order is particularly recited, —

The said persons mett vpon the place, die supradicto, & there found present the petiçoners & other inhabitants of said Jebacco, as also others that were deputed by the toune of Ipsuich to offer something refferring to the accomodation of others of their inhabitants, upon a full hearing & serious consideration of what was offered & pleaded by both parties, doe find that the psons, petiçonrs & others, y<sup>e</sup> inhabitants there, haue attended the order of the honorable Gennerrall Court, in humbly acknouledging their fault in going contrary to the advice of the honorable council, & in giving satisfaction to the offended church of Ipsuich, which was allowed & attested by some of the reuerend elders, and other persons of credit, members of the said church, and therefore doe conclude, —

(1<sup>st</sup>.) Refferring to the place of the meeting house, that though a remoove of the house from the place at present designed by said Jebacco inhabitants, farther towards to the toune of Ipsuich, might accomodate some more of the inhabitants and farmers of said toune, yet, perceiving that the number offering themselues are competent for such a settlement, and those at the head and on the other side of said riuer of Jebacco will be much disadvantaged thereby, who were the first agreived & petitioning partje, that therefore the place where the house now standeth be & is heereby allowed by us, and that they haue liberty to proceede to the finishing of the said meeting house for their comfort & settlement.

[\*279.] 2<sup>ly</sup>. Refferring to the settlement of a pious, able, & orthodoxe minister amongst them for the due mannagement of the worship of God, wee find, by a paper presented to us, signed by the seuerall inhabitants there, their desire of M<sup>r</sup> Jerremiah Shepheards settlement amongst them, w<sup>ch</sup> yet is opposed & objected \*against by the reuerend elders & seuerall worthy members of the church of Ipsuich, by whom also, vnderstanding that the said M<sup>r</sup> Shepheard hath not professed his subjection to the order of the gospell amongst us, in joyning to any particullar congregationall church amongst us; the comittee, also considering the great weight & concernment, that peace be obteyned & kept amongst neighbo<sup>r</sup> churches & congregations, especially where the persons issuing forth belong vnto another church, as in this case, see not reason at p<sup>s</sup>ent to aduise M<sup>r</sup> Shepheard preaching or settlement amongst them, but seriously comend it to him to labour his obtainment of full comunion w<sup>th</sup> some church of Christ amongst us, that he may w<sup>th</sup> more gennerrall approbation labour in

the worke of the ministry, when God shall please to improove him; and that the persons, inhabitants of Jebacho, who are like to be a joint society in this settlement, to seriously consider w<sup>th</sup> themselves, w<sup>th</sup> invocation of Gods nam<sup>e</sup>, of some meete person, able, learned, & pious, that may be fitt to mannage the publick wor<sup>pp</sup> of God amongst them, some time betweene this & Tuesday, the day before the session of the Gennerall Court, in October next, vnto which time the co<sup>m</sup>itte<sup>e</sup> doe adjerne themselues there, to meet in Boston, there to give their approbation vnto such person for the minister to setle amongst them, earnestly entreating & advising them in the meantime to lay aside all animosity, & to take such advice as may be beneficiall for their future settlement & good accord.

1680.

11 June.

October 15<sup>th</sup>, 1679.

JOSEPH DUDLEY,  
RICH<sup>d</sup> WALDRON,  
ANTHONY STODDARD,  
W<sup>m</sup> JOHNSON,  
HENRY BARTHOLMEW.

The co<sup>m</sup>itte<sup>e</sup> for Chebacho, vnder written, mett vpon adjourn<sup>mt</sup> from sd Chebacco, in Boston, some of the inhabitants of said place, by papers & information, giving us to vnderstand, that for want of time or other considerations, our aduice to M<sup>r</sup> Shephard reffering to his joyning to some congregational church, hath not binn attended, & yet their desires remayning towards him, the co<sup>m</sup>itte<sup>e</sup> therefore doe further adjourne vtill the second Tuesday in Aprill next, in Boston, leaving them opportunity to pursue said advice, in the meantime to effect & to obteyne some other helpe of a meete person in the interim, at which time wee shall further consider what may be presented to us, in order to their settlement in that affayre.

May 22<sup>th</sup>, 1680.

J<sup>o</sup> DUDLEY,  
ANTHONY STODDARD,  
HENRY BARTHOLMEW,  
W<sup>m</sup> JOHNSON.

The co<sup>m</sup>itte<sup>e</sup> aboue written mett accordingly, & the inhabitants of sd Chebacho presented M<sup>r</sup> John Wise as a person vpon whom they haue vnanimously agreed vpon for their minister, who is acceptable to us.

J. DUDLEY,  
ANTHONY STODARD,  
HENRY BARTHOLMEW,  
W<sup>m</sup> JOHNSON.

1680.

11 June,  
Courts allow-  
ance thereof.

[\*280.]

Courts letter to  
gent<sup>ns</sup> of Casco  
Bay.

The Court, hauing perused this returne, doe allow & accept thereof, giving thankes to the comittee for their paines.

\*To the inhabitants of Casco, w<sup>thin</sup> the Province of Mayne.

Gent<sup>ns</sup> & loving Freinds:—

Wee are informed that some disturbance hath been given yow in yo<sup>r</sup> resetling, by the threatnings of some persons whose practises cannot be warranted by his maj<sup>ties</sup> royall charter, granted to S<sup>r</sup> Fardinando Gorges, Kn<sup>t</sup>, who was the first proprietor of sajd province, and the right whereof is now invested in ourselues. These are to signify vnto you, that as wee haue taken order for the setling of government according to sajd charter, so our care shallbe for the protection & prouission in all respects, as in duty wee are bound, & for yo<sup>r</sup> better incouragement and security, haue made a grant of a touneship vpon the northern side of your bay, and are consulting the peopling & improouement of the islands adjacent; and on signification from yourselues of what is necessary by us further to be donne for the security of your peaceable settlement, shall giue the same a due allowance in our consultations, and make such concessions as may consist with his maj<sup>ties</sup> royall grant of sajd charter & your best good. Wee haue no more to add, but commend you to the guidance & protec<sup>cion</sup> of Him who is God Almighty, and are

Gent<sup>ns</sup>, your loving freinds,

SYMON BRADSTREET, Go<sup>u</sup>nr.

By the order of the Go<sup>u</sup>nr & Company of y<sup>e</sup> Massachusets Bay.

Boston, in New Eng<sup>td</sup>, 4 June, 1680.

Comittee for y<sup>e</sup>  
new plantation  
at Casco.

It is ordered, that M<sup>r</sup> Bartholmew Gidney, Esq<sup>r</sup>, Cap<sup>t</sup> Joshua Scottow, & M<sup>r</sup> Silvanus Daus be a comittee to mannage the affaires of the new plantation granted at Casco Bay, and are heereby impowred, for the bennefit of sajd plantation in building a fort, to sell one hundred pounds worth of land w<sup>thin</sup> the sajd province.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Deodat Lauson, in behalfe of Samuel Dogget, and for his returne, nothing was granted.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Penny, for his liberty to returne, the Court sees not cause to grant his request.

Courts accept-  
anc & their  
thanks returnd  
to y<sup>e</sup> Dep<sup>t</sup> Go.  
as to setlem<sup>t</sup> of  
y<sup>e</sup> Provinc of  
Majne.

The Court, hauing read the returne of our present honno<sup>rd</sup> Dep<sup>t</sup> Go<sup>u</sup>nr, Thomas Danforth, Esq<sup>r</sup>, præsident of the Province of Mayne, & other gentlemen employed in the settlement of government there, doe approve thereof, and thankfully accept of their good service therein, & shallbe willing & ready to manifest the same, as occasion may present, in such suitable retribution as

may evidence the reallity of our thankfulnes for their extraordinary paynes & labour therein, not doubting of his honno<sup>r</sup>s readynes to be further serviceable in anything wherein wee may haue occasion & himself oppertunity so to doe.

\*This Court, hauing taken into serious consideration the requests which hath been presented by seuerall of the reſind elders, in the name of the late synod, doe approoue thereof, and accordingly order the confession of faith agreed vpon at their second session, and the platforme of discipline, consented vnto by the synod at Cambridge, anno 1648, to be printed for the bennefit of these churches in present and after times.

1680.

11 June.

[\*281.]

Courts order  
for printing y<sup>e</sup>  
platforme of  
discipline &  
confession of  
faith.

Right Honno<sup>ble</sup>: —

In ours of May last (a copy whereof hath since bin<sup>n</sup> sent) wee gaue yo<sup>r</sup> lordship an account how farr wee had then acted in observance of his maj<sup>t</sup>es comānds, conteyned in his gracious letter of July, &c, wherevnto we haue now the following particulars to ad, & most humbly to represent as our farther progresse, in order to his maj<sup>t</sup>es more full satisfaction. In the matter of our lawes, wee haue appointed a com<sup>i</sup>tee for their revejw, to the intent that where any should be found repugnant to the lawes of England, or derogatory to his majesties honor & dignity, they may be repealed or amended, which wee hope in a short time will be effected.

Concerning liberty of conscience, the denyall or streightning whereof to others is the great complaint of some against us, & that those who differ from us are, by lawe, subjected to fines & forfeitures for the same, wee must acknowledge that a cheife designe of our ffathers & predecessors, in their coming ouer hither, was to enjoy a freedome in the matters of religious worship, accounting all the losses, hazards, difficultjes, & great labours of so vast a transportation, & of their first planting a wilderness, not to deare a price for the same; but that, after all, a multitude of notorious erro<sup>r</sup>s, haeresies, & blasphemjes should, w<sup>th</sup> impunity, be openly broached, nourished, & proppogated amongst us, as by the Quakers, &c, wee presume his majesty doeth not intend; and as for other Protestant dissento<sup>r</sup>s, that carry it peaceably & soberly, wee trust there shallbe no cause of just complaint against us on their behalfe. As to termes of admission to the freedome of our company, although wee hvmbly conceive our charter doeth expresly give vs an absolute & free choyce of our oune members, yet, long since, in obedience to his majesties pleasure, wee made voyd a former lawe that was thought to haue too great a restriction in it, & established a new \*one for the future, w<sup>ch</sup> doth

[\*282.]



1680.

11 June.

a single country rate: other restrictions or qualifications are not imposed by any law or order now in force. And that heerin wee may be the better vnderstood, & stand more cleare in *in* his majesties opinion, wee humbly declare that to be of a different perswasion from ourselues, in matters of externall worship, &, in particullar, to desire to serve God in the way of the church of England, is no part of that hethrodoxie in religion w<sup>ch</sup> our present law concerning admission of freemen doth prouide against.

Courts 24<sup>th</sup> letter  
to Robt Earle  
of Sunderland,  
one of his ma-  
jties principall  
secretarjes of  
state.

With refference to the Prouince of Majne, wee are heartily sorry that any actings of ours should be displeasing to his majesty. His majesties decision of the title for M<sup>r</sup> Gorges wee readily submitted to; and after it had for about a twelue month been adjudged to belong to him, his heires & assignes, and accordingly by him during all that time offered to sale to many, nothing further in relation therevnto that wee knew of depending before his maj<sup>tye</sup>, wee then considered how many thousand pounds we haue expended in the service of that prouince, besides the losse of more then an hundred lives of those by vs sent fforth to deffend and saue it from vtter ruine by the late barbarious & bloody ennemy; & being also well assured of the strong inclination & desire of the gennerality of the inhabitants of that prouince to come into a quiet, speedy, and easy settlement vnder those of whom they had so long & beneficiall an experience, rather then to runne the hazard of their charges, wee did mak a purchase thereof; and indeed wee knew no better expedient either for our oune reimbursing in part those so great charges lajd out vpon them, or for the preventing of further trouble both to ourselues & his maj<sup>ties</sup> good subjects there, who, as heeretofore, (so) are againe become humble suppljants to his majesty by their vnanimous addresse, that they may be continued as now they are; wherein therefore wee doe most humbly implore his maj<sup>ties</sup> grace & favour.

Hauing thus, right honno<sup>rble</sup>, with so much plainness, acquainted your honno<sup>r</sup> w<sup>th</sup> these our proceedings, wee hope that what wee haue already donn, & are still doing, will clearely speake for us, & make some good prooffe of our readyness to give vndenjed demonstrations vnto his majesty of that loyalty & obedience that wee acknowledge ourselues at all times bound vnto, which confidence wee are most hvmibly bold at this time to begg his majesties excuse, & to hope for his gracious indulgence, that wee <sup>\*wee</sup> haue not as yet sent ouer other agents to attend again in our concernes, and the rather for that wee vnderstand his maj<sup>tye</sup> & his most honno<sup>rble</sup> privy covncil are still taken vp in the same matters, of farr greater importance, which necessitated so long a deffering of our late agents, and at length incljned his maj<sup>tye</sup> graciously to dismisse them; vnto which, by way of further apologje, wee haue, in trueth, to add

[\*283.]

our present low condition, through the vast charges of the late warr, the great debts yet abiding heavy vpon us, and the late wasting fier, happning in our principall toune; all w<sup>ch</sup> renders it exceeding difficult for us so speedily to rayse & furnish the necessary disbursments of a new sending; nor can wee omitt the great hazard of the sea, creating a backwardness in persons most suiteable to be implojed, wee hauing already lost fve or sixe of our vessells by Turkish pyrates, and many of our inhabitants continuig at this day in miserable captivity amongst them.

1680.

11 June.

Craving your honno<sup>r</sup>s favo<sup>r</sup> in giving yow this seccond trouble, and a favo<sup>r</sup>able representation of the import thereof to his majesty, w<sup>th</sup> returne of our most humble thanks for the continuance of his gracious aspect and incljnation farther to establish our libertjes, the vnjust calumnjes of our adversaryes notwithstanding, w<sup>th</sup> our earnest prayers for the preservation of his royall person from all malicious & wicked designes,

Right honno<sup>r</sup>ble,

Wee are your most hvmble servants.

SYMON BRADSTREET, Gofl.

In y<sup>e</sup> name of his maj<sup>ty</sup>s Gcfill Court in y<sup>e</sup> Massachusetts colony.

In answer to the petiçõn of the inhabitants of Sherborne, Maj<sup>r</sup> Thõ Sauage and M<sup>r</sup> Bartholmew Gidney, Cap<sup>t</sup> Hutchinson, M<sup>r</sup> Joseph Ljnde, & M<sup>r</sup> Joseph Cooke are by this Court appointed a co<sup>m</sup>ittee, and are requested to repajre to the sajd place, & setle all differences depending among sajd inhabitants, and give such directions as to them shall seeme meete for ordering of their prudentials; & what any fower of them shall agree vpon shall be valid, for the determining of such controuersies as are among them; and what they shall doe heerein they are to make returne thereof to the present sessions of this Court, (w<sup>ch</sup> y<sup>ey</sup> did, & is on file, not pfected).

Co<sup>m</sup>ittee as to  
Sherborne.

\*There appearing something necessary to be farther don w<sup>th</sup> refference to the settlement of Sherborne Toune & the well ordering the prudentials thereof, and some dissatisfaction w<sup>th</sup> refference to the placing the meeting house, this Court, judging it necessary to remoove all obstructions that may hinder their quiet & peaceable proceeding, doe appoynt & impower Willjam Stoughton, Esq<sup>r</sup>, Major Thomas Sauage, & Cap<sup>t</sup> John Richards a co<sup>m</sup>ittee to order and gouerne the prudentials of the sajd toune for three yeares next co<sup>m</sup>ing, as to laying out allotments, raysing of taxes, and building of their ministers & meeting house, leaving the matter of scittuation of the meeting house vntil the next sessions of this Court, to whom the sajd co<sup>m</sup>ittee are to make theire returne of what they shall find expedient therein.

[\*284.]

Co<sup>m</sup>ittee to or-  
der Sherborn  
prudentials  
for 3 yeare.

1680. \**Att the second Sessions of the Gennerall Court, held at Boston, the*  
*13<sup>th</sup> of October, 1680.*

13 October.

[\*285.]

PRESENT, Symon Bradstreet, Goũ,  
 Thõ Danforth, Esq̃, Dep<sup>t</sup> Gõ,  
 Rich Saltonstall, Esq̃,  
 Daniel Gookin,  
 Daniel Dennison,  
 John Pynchon,  
 Edw<sup>d</sup> Tyng,  
 W<sup>m</sup> Stoughton,  
 Joseph Dudley,  
 Peter Bulkley,  
 Nath Saltonstall,  
 Humphry Davy,  
 W<sup>m</sup> Broune, Señ,  
 Thõ Sauage,  
 Jn<sup>c</sup> Richards,  
 Jn<sup>c</sup> Hull,  
 Peter Tilton,  
 James Russell,  
 Bartholmew Gidney, Esq̃s, Assist<sup>s</sup>.

Mrs of shippes,  
 sloopes, &c,  
 danger.

IT is ordered by this Court and the authority thereof, that henceforth it shall not be lawfull for any ship, sloop, ketch, or vessell, of more then twelve tuns burthen, to saile out of any harbo<sup>r</sup> or port w<sup>th</sup>in this colony, or enterteine on board thereof any passenger or passengers, or any servant or negro, w<sup>th</sup>out the permitt of the Gouverno<sup>r</sup> for the time being, or such as he shall appoint to that trust, on pœnalty of twenty povnds fine, to be payd by the master or skipper of sajd ship, ketch, sloop, or vessell that shall be convicted of transgressing hereof, and shallbe ljable to satsisfy double damages to any that shall be injured thereby, to be recouered by an action of the case.

Troopers.

This Court being informed of the great defficiency gennerally found among the troopers, (some in one kind, & some in others, &c,) and for prevention of future mistakes in the law, tñ Charges, Publick, wherein troopers clajme abatement as to their persons & horses being exempted, it is ordered by this Court and authority thereof, that henceforth all troopers (excepting those who, by the first lawe, anno 1648, were allowed fve shillings a man,

and the abatement of their head and horse, which is only to be vnderstood as to one single country rate) shall pay for their heads and horses, to all publicke assessments, as others doe, any law, custome, or vsage to the contrary notwithstanding; provided that such as listed themselves vpon the account of that priuiledge, hereby abated as to their head & horse only, shall haue free liberty to dispose of their horses, and list in the foote company againe.

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It is ordered by this Court and the authority thereof, that there shall be annually chosen, according to our charter, eightene Assistants, besides the Goſno<sup>r</sup> & Deputy Goſno<sup>r</sup>, in manner ffollowing: The constables of each toun shall giue timely notice vnto and warne their freemen to meet vpon the second Tuesday in March, yearely, who shall then put in their voates in distinct papers for such persons, being freemen, and resident in this jurisdiction, whom they desire to haue chosen for Magistrates or Assistants at the next Court of Election, not exceeding the number of twenty, & all in one lyst clearely distinguished; and no freeman shall put in aboue one vote for one person, vnder the penalty of tenn povnds for euery offence. And the sajd freemen so mett, or the \*majo<sup>r</sup> part of them, shall then & there appoint one to carry their voates, sealled vp, vnto their sheire toun vpon the last Wednesday <sup>^</sup> March, at twelv of the clocke, which persons for each toun so assembled shall appoint two of themselves, as co<sup>m</sup>missioners for each shire, (Hampshire only excepted,) to carry them vnto Boston the second Tuesday in Aprill, at nine of the clocke in the morning, there to be opened and perused in the presence of the Gouverno<sup>r</sup> or Deputy Goſno<sup>r</sup>, or so many magistrates as please to attend it, otheruise by those persons that brought them, at the toun house in Boston, or such other place as the co<sup>m</sup>missioners for Suffolke shall appoint; and all lists that exceed twenty, or haue one mans name more then once, shall be throune away, and those twenty sixe who haue most votes shall be the men, and they only, which shall be put to voate at the Court of Election for Magistrates or Assistants, as aforesajd; and the co<sup>m</sup>missioners of each shire shall forthuith signify to the constables of the seuerall tounes within their county, in writing vnder their hands, the names of those twenty sixe persons aforesajd, w<sup>th</sup> the number of votes for each, which the constable of each toun shall signify to their freemen; and as they haue more votes then others, so shall they be nominated for election, (except such who were magistrates heere-tofore, who shall haue the precedency of all others in nomination on the election day.) It is further ordered, that the constable of each toun shall call together their freemen on the Wednesday next before the election day, from yeare to yeare, when & where such as please may put in their proxies for election, viz<sup>t</sup>, of Goſno<sup>r</sup>, Deputy Governo<sup>r</sup>, and all other publicke officers,

Order about  
elections.

[\*286.]



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in distinct papers, as formerly ; and for twenty Assistants to be chosen out of the twenty six persons in nomination by Indian corne, which proxies shall be sealed vp, w<sup>th</sup> the name of the person written on the paper, and deliuered to the deputy of the sajd tounce, or some other meet person chosen by the freemen, who shall bring the same to Boston on the election day, when and where all the freemen who haue not voted by proxie are required to appeare at the Court-house, by eight of the clocke in the morning, to bring in their votes as aforesajd, where the votes of the Goũno<sup>r</sup> & Deputy Goũno<sup>r</sup> are first to be opened and sorted, and the chosen proclajmed ; and then the votes for the twenty six persons chosen by corne to be opened & counted, and those eighteene who haue most votes are to be proclajmed Assistants for the yeare ensuing ; and all other gennerall officers to be chosen as formerly. Moreover, all the votes that *that* are brought in for nomination and election shall be brought in by the person voting, or sent by the deputy or the constable [\*287.] \*of the tounce where such person dwelleth, or otheruise loose their votes ; and if any person betrusted in this order shall faile in discharge of his trust, he shall forfeite tenn pounds.

It is further ordered, that the coĩmissioners of each county, before they open their votes, and so all that are admitted to receive in, sort, & count the votes on the day of election, shall be vnder oath, as the last yeare.

Imposts on  
cattle coming  
from y<sup>e</sup> colo-  
njes.

This Court, being sencible that persons who belong to other colonjes or plantations doe, by their bringing into this colony, or selling to the inhabitants thereof, their neate catle, sheep, horses, & swyne, thereby filling vp our market, and incapacitating our oune inhabitants to sell what they breed and rajse, & pay duties for, whereby much of our money is exported contrary to our law, and no allowance made to this colony for such cattle, horses, sheep, &c, for prevention whereof for the future, —

It is ordered by this Court & the authority thereof, that hencforth for all neate cattles, horses, sheep, and swyne which shall be brought into this colony by any inhabitant of the other colonjes, or by any of this colony going forth & bringing any or all of the sajd kinds aboue mentioned, the sajd persons shall pay, by way of rate, in money, to the Treasurer of this colony for the time being, or his order, these ffollowing rates, viz<sup>t</sup>: for all sorts of neat catle two shillings and sixe pence p head, for swyne of all sorts one shilling p head, and for *for* all sheepe or lambs sixe pence p head, and for all horse kinde two shillings sixe pence p head. And for the true and well effecting thereof, it is ordered by the authority aforesajd, that all sorts of persons, whither vendo<sup>r</sup> or buyer of any or all the kinds aboue expressed, shall and are heereby obliged to make entry of all or any of the sajd kinds at the first

toune of this colony through which they shall or may passe, on the pœnaltjes hereafter expressed, viz<sup>t</sup>: for all sorts of neate catle not so entred forty shillings p head, horses twenty shillings p head, sheep & lambs fiue shillings p head, swyne tenn shillings p head, in money, as abouesajd. And it is further ordered, that the clarke of the writts of euery toune, or such whom the Tresurer of this jurisdiction for the time being shall appoint in euery toune, shall be the persons, & they only, for the making such entrjes and for receiving sajd rates; all which entrjes so made \*by any of the persons so deputed shall conteyne in them the number of each kinde, a true copy whereof they shall giue out to vendor or buyer vnder their hands of any or all of the sajd kinde, whjch alone shall be their security in passing through any of the other townes of this colony, w<sup>th</sup>out being liable to seizure of any or all the sajd kinds, in a booke, and stand obleiged vpon his or their oathes to make a true returne to the Tresurer of this colony tuice in the yeare; and all fees for their entry shall be three pence for an entry, and three pence for a copy, and pajd by the party, and twelue pence in the pound out of the money received; and that euery informer, vpon any deffect therein prosecuting to effect, shall haue one third to himself, the rest to the country. And this law to be in force on the twentjeth of November next.

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13 October.

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For explanation of the law, tiť Caske, Cooper, Gauger, Packer, the law for caske is to be vnderstood, butts one hundred twenty sixe gallons, puncheons eighty fower gallons, hogsheads sixty three gallons, terses forty two gallons, barrells thirty one and an half gallon, etĉ; and the inspection thereof shallbe, and is hereby, added to the gaugers of each toune, as he is, and shallbe, from time to time, vnder his oath for the true performance of the same, according to all the particulars specifed in the sajd law.

Order as to caske.

It is ordered, when any clerke of the writts shall grant attachments in a civil case to any plantiffe lying in goale vpon execution for debt, he shall require sufficient security to answer the deffendants costs, as in case of strangers.

Clarke writts to req<sup>re</sup> security of all persons in dures.

Since it hath pleased the God of all our mercjes to manifest his tender compassions towards his people in this wilderness, both by former & latter dispensations of his providence, remembring mercy in the midst of judgments, which wee haue had experience of; hauing this yeare also blessed us w<sup>th</sup> peace & health in a gracious measure, & hath not given us cleanness of teeth & want of bread in all our places, but hauing obteyned help from God, wee continue to be his people still, and in the full enjoyment of all our libertjes, both ciuil & sacred, for which invaluable mercjes wee can neuer enough prayse the God & Giuer of them; considering also, that solemne thanksgiving

A day of thanksgiving.

1680.

13 October.

[\*289.]

A day of humilliation 16 Decemb., 80.

Cõmittee, as formerly, to revise the lawes. Dd to Gou.

Suffolke regiment divided; Boston 1, y<sup>e</sup> other townes y<sup>e</sup> 2<sup>d</sup>.

W<sup>m</sup> Stoughton, Esq<sup>r</sup>, sarg<sup>t</sup> major, sent to Mr Clark.

is a duty pleasing to the Lord, who hath sometimes lett us see tokens for good as evidences of his gracious acceptance, through Jesus Christ, when wee haue, through him, been giving thanks vnto his name; this Court doth therefore apoint the 25th of November next to be kept as a day of publick thanksgiving throughout this jurisdiction, *\*throughout this jurisdiction*, exhorting all the ministers, churches, & people therein, to endeavor that it be religiously, & w<sup>th</sup> all due solemnity, observed, that so the Lord our God may haue the prajse and glory of all those great things which he hath donn, & doeth, & wee trust will doe for his poore people, heereby prohibiting all servile labo<sup>r</sup> on sajd day.

This Court doth appoint the 16<sup>th</sup> of December next to be kept as a day of solemn humilliation throughout this jurisdiction, prohibiting the inhabitants therein all servile labour, and heereby exhorting all the Lords remembrancers to be earnest with him in prayers for all in authority ouer the nation, for the king vpon the throane, for the Parljamēt, (if sitting,) and for all the deare people of God in England, Scotland, & Ireland, and that all humbling dispensations towards us in these ends of the earth may be sanctified, & that God would yet, for his names sake, continue our libertjes, both civil & spirituall.

This Court, hauing in May last appointed a cõmittee for the reuisall of our lawes, & nothing of that nature being yet donn, it is ordered by this Court, that the cõmittee formerly appointed for that worke doe effectually apply themselues to the same, and make returne of what they doe therein to the next Court of Election, and that the charges of this worke be defrayed by the country Tresurer.

§ For the better regulation of the militia of the county of Suffolke, it is ordered by this Court and the authority thereof, that the regiment of Suffolke, at present vnder the cõmand of Majo<sup>r</sup> Thomas Clarke, be divided into two regiments, in manner ffollowing, viz<sup>t</sup>: that the eight companyes in Boston shall henceforth be accounted a regiment of themselues, and all the troopers vnder the cõmand of Cap<sup>t</sup> Thomas Brattle to belong to the sajd regiment, and continue vnder the cõmand of sajd Majo<sup>r</sup> Clarke; and it is further ordered, that the rest of the townes in sajd county, viz<sup>t</sup>, Dorchester, Roxbury, Weymouth, Hingham, Braintry, Dedham, Medfeild, Hull, Melton, & other smale villages in sajd county, shallbe another regiment, and all the troopers in Hingham troope, lately rayseed, to belong to the sajd regiment; and the sajd regiment to be vnder the cõmand of Majo<sup>r</sup> W<sup>m</sup> Stoughton, Esq<sup>r</sup>, & he to haue cõmission accordingly, any law, vsage, or custome to the contrary notwithstanding.



\*For the better regulation of the militja in the county of Midlesex, and for ease of the people that liue in that county, it is ordered by this Court and the authority thereof, that the regiment of Midlesex, at present vnder the comānd of Major Daniel Gookin, be diuided into two regiments in manner following, viz<sup>t</sup>: the tounes & companjes of Charls Toune, Cambridge, Water Toune, Cambridge Village, Wooborne, Maulden, & Redding, w<sup>th</sup> the troope vnder the comānd of Cap<sup>t</sup> Thomas Prentice, or any other troopes that may be heereafter rayseed in those tounes, shall be one regiment, & continue vnder the comānd of Major Gookin, Esq<sup>r</sup>.

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Midlesex diuided into two regiments, y<sup>t</sup> of Charls Toune, Camb., & ã, to Maj<sup>r</sup> Gookin y<sup>e</sup> 1<sup>st</sup>.

That the tounes & companjes of Concord, Sudbury, Marlborow, Chelmsford, Billirrica, Groaten, Lancaster, & Dunstable, w<sup>th</sup> the troope vnder the comānd of Cap<sup>t</sup> Thomas Hinchman, or any other troope that heereafter shall be rayseed in those tounes, be another regiment, and vnder the comānd of Major Peter Bulkley, Esq<sup>r</sup>, any law, vsage, or custome to the contrary notw<sup>th</sup>standing.

Y<sup>e</sup> other tounes to Major Peter Bulkley.

And it is ordered, that the tounes of Charls Toune, Ipsuich, and Newbery be also diuided as the law in that case hath provided.

Charls Toune, Ipswich, & Newbery be diuided.

For the better regulation of the militia in the county of Essex, and for ease of the people there that liue remote in that county, it is ordered by this Court and the authority thereof, that the regiment of Essex, at present vnder the comānd of Major Gennerall Dennison, be diuided into two regiments, in manner & forme fol<sup>k</sup>, viz<sup>t</sup>: —

Essex regiment diuided, & ã, Dd to Maj. Denison.

That the souldjers in Ipsuich be diuided into three companyes, & the souldjers in Newbery into two companyes, and the sajd companyes in Ipsuich, together w<sup>th</sup> Wenham, Salem Village, Beverly, Gloucester, Salem, Marblehead, & Lynn, to be hencforth a regiment, & all troopers w<sup>ch</sup> either are or w<sup>ch</sup> hereafter shall be l<sup>j</sup>sted in sajd tounes to belong to the sajd regiment, & continue vnder the comānd of the sajd Major Gennerall Dennison.

And it is further ordered, that the rest of the tounes in the ãd county, viz<sup>t</sup>, Newbery, Rouley, Bradford, Andiver, Topsfeild, as also Salisbury, Amesbury, & Hauerill, together w<sup>th</sup> such troop<sup>s</sup> as either are already or which here after shall be listed in sajd tounes to belong to the sajd regiment, & that the sajd regement to be vnder the comānd of Major Nathaniel Saltonstall, and he to haue comiission for y<sup>e</sup> second diuission accordingly, any law custome, or vsage to the contrary notw<sup>th</sup>standing.

Major Nath. Saltonstall 2<sup>d</sup>.

[\*291.]

\*It is ordered by this Court & the authority thereof, that the trajned band at Charles Toune, vnder the comānd of Cap<sup>t</sup> Hamond, be parted into two companjes, w<sup>th</sup> as much æquality & conveniency as may be, and it is referred

Charls Tounes company to be diuided, & ã, settled by Mr Gookin, & ã.



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13 October.

to Major Gookin, James Russell, Esq's, & Cap<sup>t</sup> Hamond, to order the divission thereof accordingly, which being effected, Cap<sup>t</sup> Hamond is to make his chojce, and the other company shall be vnder the comānd of such comission officers as this Court shall appoint; and this affajre to be setled before the first of May next.

Order as to 4  
country rates,  
2 mony & 2 in  
corne, &c.  
Order as to  
troopers rate-  
ing.

It is ordered by this Court & authority thereof, that there shallbe fower country rates payd for this yeare, two in money, one of them to be wholly improoved towards the payment of what money there is yet due to the late Tresurer, & not otheruise, the other two country rates to be in country pay, and all sortes of corne payd in the sajd two rates to be at these prizes ffollowing, viz<sup>t</sup>: wheate at five shillings, barly and barly mault at fower shillings, & rye at fower shillings, & pease at 4, Indian at three shillings, oates at two shillings p bushell, all to be good and merchantable corne, & the barly to be payd to the Tresurer, or his order, before the first of Aprill next; and all other thing payd in the country rate be at mony prize, provided that no leane catle or horses shallbe payd in sajd rates. And it is hereby further ordered, & the selectmen of euery toune w<sup>th</sup>in this jurisdiction are hereby enjoyned to rate all not freed by law for theire estates; and also, all troopers w<sup>th</sup>in their seuerall townes, in proportion with other men, both for their persons, horses, & other estates, excepting such as are exempted by a law made this present session, which is only for one single country rate in a yeare, & that in country pay, and that what money or other country pay shall be advanced vpon this account to be duely returned to the country Tresurer, and he to giue the country credit for the same; and this order to be forthuith printed & published by sending of it to the seuerall townes.

County Courts  
adjournment to  
9 Novemb.

It is ordered, that the County Court to sitt in Boston on 3<sup>d</sup> day next, being the 26 instant, by reason of the weighty occasions of the country now in hand, be adjourned to the 9<sup>th</sup> of November next, at eight of the clock, and all persons concerned are to take notice thereof & attend their concernes accordingly.

[\*292.]

Ans<sup>r</sup> to Mr  
Taylor, &c, ad-  
ministrators to  
Mr Bendalls  
estate, their  
petiōn.

\*In ans<sup>r</sup> to the petiōn of Mr W<sup>m</sup> Taylor, Cap<sup>t</sup> Elisha Hutchinson, and Mr John Scarlet, administrato<sup>r</sup>s to the estate of the late Free Grace Bendall, humbly desiring the favo<sup>r</sup> of this Court to strengthen them, by their authority, to make sale of his the sajd Bendalls house & land, that it may not be rent away in smale peeces by executions, &c, the Court judgeth it meet to grant their request.

Hallowells &  
Butlers case to  
be heard, &c.

In ans<sup>r</sup> to the request of Anthony Cheekly, attorney of W<sup>m</sup> Hollowell, Benjā Hollowell, &c, the Court judgeth it meete that the case mentioned

relating to Stephen Butler, &c, to order that the case be heard the next sixth day, at nine of the clocke. Y<sup>e</sup> case was called, p<sup>ties</sup>, pleas, & evidences heard, but came not to an issue, there being no voate, be<sup>c</sup> neither Go<sup>u</sup> nor Dep<sup>t</sup> Go<sup>u</sup>nor consented.

1680.

13 October.

The Tresurer, Cap<sup>t</sup> Jn<sup>o</sup> Hull, presenting his accompts to the Court, w<sup>ch</sup> Com<sup>tee</sup> to inspect the late Tr<sup>s</sup> accounts, &c.  
were persv<sup>d</sup> & accepted of by the Court, provided that Cap<sup>t</sup> Bratle, Cap<sup>t</sup> Hutchinson, & Lef<sup>t</sup> Johnson, as a com<sup>tee</sup> from this Court, doe persve the sajd accovnts, & that such exceptions as doe appeare or shall be rectified, and what they find to make their returne to the Court of Election.

In ans<sup>r</sup> to the peti<sup>con</sup> of M<sup>rs</sup> Margery Flynt, the Court doe judge, that the payment & bond mentioned in the peti<sup>con</sup> appearing to the administrato<sup>rs</sup> of James Pennymans estate to sattisfaction, the administrato<sup>rs</sup> are heereby impowred & ordered to passe deeds of sale in sajd Pennymans name.

In ans<sup>r</sup> to a peti<sup>con</sup> of M<sup>rs</sup> Margery Flynts peti<sup>con</sup>, w<sup>ch</sup> she exhibitted to this Court in May last, as explication & addition to that grant, it is ordered, that the exhibbting the evidence of such exchainged or purchased lands, of like value w<sup>th</sup> the lands of sajd Shepherds sold to the County Court for Suffolke, sajd Court is impowred to allow & rattify the same.

Whereas the Gennerall Court, in May last, in answer to the peti<sup>con</sup> of M<sup>rs</sup> Margery Flynt, widdow, & M<sup>r</sup> Josiah Flint, her son, were pleased to grant them liberty to a lott of land lying in Braintry, neere a place called Smelt Brooke, lately belonging vnto the Reuerend M<sup>r</sup> Henry Flynt, teacher of the church of Christ at Braintry, deceased, w<sup>ch</sup> land they sold before the death of M<sup>r</sup> Josiah Flynt, now also deceased, late pastor of the church of Dorchester; but there being no deed made to the purchaser, nor the money yet fully payd, it is ordered, that M<sup>rs</sup> Margery Flynt, the now sole execcutrixe of hir husband, M<sup>r</sup> Henry Flynt, deceased, be & heereby is fully impowred to make a legall conveyance of the sajd lott to the purchaser, in as full a<sup>n</sup> ample manner as if M<sup>r</sup> Josiah Flynt, deceased, the other execcuto<sup>r</sup>, were living & passed the same deed; provided allwayes, that the sajd estate be, by the next County Court of Suffolke, settled, according to law, vpon & amongst the heires of the late M<sup>r</sup> Henry Flynt, & that the sajd Margery give bond to the sajd Court to performe their settlement & order accordingly.

\*Sarjant Isack Walker is appointed ensigne to Cap<sup>t</sup> Daniel Hinchmans company.

In ans<sup>r</sup> to the petition of Peter Bulkley, Esq<sup>r</sup>, as he is y<sup>e</sup> attorney of M<sup>r</sup> John Brett, Se<sup>n</sup>, cittizen & merchant taylor, of London, the Court judgeth it meete to grant the sajd M<sup>r</sup> John Brett two hundred & ffiuety acres of land

1680.

13 October.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Grouts pet.

where it is to be found free of former grants, and not prejudicial to any plantation.

In ans<sup>r</sup> to the peti<sup>o</sup>n of John Grout, Señ, of Sudbury, the Court judgeth it meet to grant the peti<sup>o</sup>ners request, i. e., liberty to purchase the lands mentioned, if it belongs to the inhabitants of Naticke.

Ans<sup>r</sup> to Beuer-  
lys peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of the inhabitants of Beuerly, the Court judgeth it meete to grant the petitioners a further hearing of their case the next fifth day at nine of the clocke, & that the secretary give warrant for the appearanc of all persons concerned then to attend the Court, w<sup>ch</sup> was donn. The partie appeare, but, in fine, issued their case between themselues.

Ans<sup>r</sup> to Hatt-  
feild peti<sup>o</sup>n,  
15<sup>th</sup> remitted, y<sup>t</sup>  
was formly  
respitted.  
Order abt a  
parcell of to-  
bacco.

In ans<sup>r</sup> to the petition of Samuel Patrigg, in behalfe of the toune of Hattfeild, the Court judgeth it meet to grant their request in sd peti<sup>o</sup>n, i. e., a release of the payment of sajd fucteene povnds.

This Court having a case presented before them respecting vnto a parcell of tobacco seized by M<sup>r</sup> Edward Randolph, and vnderstanding that there hath passed a legall tryall that the law hath not condemned the same, it is hereby declared, that the sajd tobacco shallbe forthwith deliuered to the right ouno<sup>rs</sup>, & ought not longer to be deteyned in the custody of the law.

Ans<sup>r</sup> to Mary  
Beldings peti-  
o. for hir son,  
Jn<sup>th</sup>. Wells,  
referred to the  
comitte for  
wounded men.  
Capt Peter  
Tounsends.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Jhonath Wells, son to Mary Belding, his mother petitioning in his behalf, being a wounded man, & by his wounds lost 2 yeares &  $\frac{1}{2}$ , the Court *it* judgeth it meet to referr the peti<sup>o</sup>ner for releife to the comitte for wounded men.

Lef<sup>t</sup> Pen Tounsends is appointed capt<sup>l</sup> of the military company in Boston w<sup>ch</sup> Humfry Daury, Esq<sup>r</sup>, was chosen formerly vnto.

Courts judgm<sup>t</sup>  
inter M<sup>r</sup> Graf-  
ton & M<sup>r</sup>  
Cheuer.

The Court judgeth it meet to order, that no alljenation shallbe made of the reuerision of the sajd Lawthrops lands & houses by the heires of the sajd Lawthrop during the life of his relict widdow; but in case there shall appeare need for her releife, she may make hir application to the Court of that county, who shall & are heereby impowred to order the sale of any part thereof, as to them shall appeare necessary for the ends aforesajd.

[\*294.]

Sarah Fosters.

\*In ans<sup>r</sup> to the petition of Sarah Foster, relict of the late Thomas Foster, of Cambridg, humbly desiring this Courts favo<sup>r</sup> to grant hir power & liberty to sell a smale house and land, left by y<sup>e</sup> sajd Foster, in Roxbury, for releife & supply of herself and children, the Court judgeth it meet to grant hir request, so as the peti<sup>o</sup>ner take the advice & consent of our present honord Deputy Gou<sup>no</sup>r & M<sup>r</sup> Joseph Dudley.

Ans<sup>r</sup> to M<sup>rs</sup>  
Hesther Flynts  
peti<sup>o</sup>n.

In ans<sup>r</sup> to the peti<sup>o</sup>n of M<sup>rs</sup> Hesther Flynt, relict widdow of the late

Mr Josiah Flynt, of Dorchester, the Court grants the petitioners request, power to grant & scale deeds, so as she take & haue the aduise & consent of W<sup>m</sup> Stoughton, Esq<sup>r</sup>.

1680.

13 October.

In answer to the petition of Newbery, refferring to the schoolemaster there, this Court doth order, that Mr Emerson, present incumbent in said schoole, continew, vpon the grant of this Court, vntill the next Gennerall Court, and that then there maybe further consideration thereof, in case the toune be still vnsatisfied, and that the threescore pounds ordered by this Court be paid to said Emerson accordingly.

Ans<sup>r</sup> to New-  
bery petition.  
Mr Emerson  
continued, &c.

It is heereby ordered, that Major John Pynchon doe forthuith, and w<sup>th</sup> all expedition, repaire to Albany, and desier the aduice & assistance of S<sup>r</sup> Edmond Andros, Governo<sup>r</sup> of New Yorke, and endeavour to prevent the insolencies & outrages that haue of late beene perpetrated by the Macquas in these parts of the country, so as for the future the peace of this colony maybe mainteyned & preserued; & for the manner of their proceeding therein, he shall attend the order & instructions given him by this Court. The charge of this affajre to be supplied by the Tresurer, provided Mr Phillip Smith or Mr Jn<sup>oth</sup> Russell, or whom Major Pynchon shall choose, be the men.

Major Pyn-  
chon to repaire  
to Albany.

To Major Jn<sup>o</sup> Pynchon.

Yow shall w<sup>th</sup> all expedition, with suiteable attendance, repaire to Albany, and by the assistance of S<sup>r</sup> Edmond Andros, or, in his absence, w<sup>th</sup> those that are impowred vnder him at Albany, to speake w<sup>th</sup> the Mohaukes, and acquaint them with our sence of their late actings towards the Indians & English in this jurisdiction, and treatate with them according to the instructions given yow; & for your so doing this shall be yo<sup>r</sup> warrant.

Major John  
Pyncho. co-  
mission.

\*Instructions for Major John Pynchon & A B.

[\*295.]

Gentlemen:—

Major Pin-  
chons instruc-  
tions as to the  
Macquars.

Yow are, w<sup>th</sup> all convenient speede, to addresse yourselves, with servants as may be to accompany, and take a journey to Fort Albany, and there, with the aduise and assistance of the honno<sup>r</sup>ble S<sup>r</sup> Edmond Andros, Governor of the Province of New Yorke, to endeavour a treaty w<sup>th</sup> the sachems, and people called Maquars or Mohaukes, in order to the stopping of any invassions, depredation, & insolencys towards our neighbors, Indians and freinds, that liue w<sup>th</sup>in this jurisdiction; in particullar, that yow declare to the Macquars the following particulars:—



1680.

13 October.

1. To informe the Macquars sachems of the injurjes wee & our ffreinds haue receiued from some of the Macquars, or some that pretended to be Macquars, that did accompany some of our ennemjes the last summer, and to enquire whither it be knoune to them. Wee did hope they would not haue allowed any such thing, hauing put great confidence in the conclusion made at Albany, Aprill, 1677, or that they haue not attended to, or rightly vnderstood, the agreement then made w<sup>th</sup> the English, wherein it was expresly agreed not to injure or molest the Indians liuing neare us, & in freindship wjth the English.

2. That it is very ill resented by the English that they haue broke that couenant, and uithin this three yeares last past killed & captivated aboue sixty of our freinds & neighbour Indians, w<sup>thout</sup> the least injury donne by them, and also haue in this interim don wrong to the English in killing catle, and robbing houses, and marching in an hostile ^ into some of our townes; and though wee sent messengers to them aboue two yeares since, mannifesting our dissatisfaction, and requiring the deliuery of the Indian captiues taken in June, 1678, at Magunchog, vnto which they returned dilatory & dissatisfactory answers.

3<sup>y</sup>. You shall fully acquaint them, that wee doe expect that they leaue further to disquiet any of our Indeans w<sup>thin</sup> the Massachusetts colony.

4<sup>y</sup>. In case they shall refuse a compliance heerewith, yow are plainly to declare to them, that wee cannot, in honesty & faithfullnes, any longer w<sup>thhold</sup> the Indeans from vsing the vttermost of their strength jointly for theire oune defence, and that wee shall account theire further procedure in a way of hostility with the Indeans vnder our gouernment & protection a contempt of this our freindly treaty w<sup>th</sup> them, and wee shall judge ourselues obleidged to consider \*of such future measure as may consist w<sup>th</sup> our owne interest and their preservation.

5<sup>y</sup>. Yow are to desier the surrender of such Indians, captiues, that are aliue, which they tooke in these parts that were our freinds.

6. If they shall promise to performe what is heerein desired, then yow are impowred to present them such a gratuity as yow think meete.

7. In case any thing present in this matter for the advantage & accomodation of the English interest, wee leaue the mannagement of that matter to yo<sup>r</sup> wisdom & prudence to doe as yow thinke best.

Ans<sup>r</sup> to John  
Rootes peti-  
tion.

In answer to the petiçon of John Rootes, late comissary at Westfeild, the Court judgeth it meete to order the Tresurer of the country to pay vnto

him, the said John Rootes, fowerteene pounds, in or as money, in full of all demands. 1680.

In ans<sup>r</sup> to the peti<sup>ō</sup>n of Roger Billing, Alexander Marsh, & Moses Belchar, the Court judgeth it meete to refer the whole matter of their peti<sup>ō</sup>n to the next County Court for Suffolke, to examine what land is necessary to be sould for the payment of just debts; who are also heereby impowred to order the sale of so much as they in their wisdome shall see meete.

13 October.  
Ans<sup>r</sup> to Roger  
Billings peti-  
con, &c.

Jacob Nash is allowed & appointed quarter master to the Hingham & Weymouth troope.

Jacob Nash,  
q<sup>r</sup>ter m<sup>r</sup>.

In ans<sup>r</sup> to the humble request of Martha, relict & administratrix to the estate of Jacob Newell, of Roxbury, desiring power to make a deed to Thomas Lyon of a smale parcel of land hir husband sold, & received pay for it, the Court grants hir request.

Ans<sup>r</sup> to Mar-  
tha, relicte to  
Jacob Wells,  
&c.

In ans<sup>r</sup> to the peti<sup>ō</sup>n of Mary Mitchel, the Court sees no cause to grant hir request, the case mentioned hauing not binn revejwed or an appeale made on it.

Ans<sup>r</sup> to Mary  
Mitchels peti-  
con.

Humphry Davy, Esq<sup>r</sup>, John Richards, Esq<sup>r</sup>, Cap<sup>t</sup> Elisha Hutchinson, appointed, w<sup>th</sup> Edward Rawson, secretary, a com<sup>it</sup>tee to pvse the acts of this Court & the lawes, & determine what to send out to the presse.

Com<sup>it</sup>tee about  
y<sup>e</sup> sending of  
y<sup>e</sup> lawes to the  
presse.

In ans<sup>r</sup> to the peti<sup>ō</sup>n of Obadiah Emons, the Court judgeth it meete to referr the petitioner to the County Court of Suffolke for releife, if he hath had any wrong, who haue full power to act in all such cases.

Ans<sup>r</sup> to Obadi-  
ah Emons pe-  
ti<sup>ō</sup>n.

\*In ans<sup>r</sup> to the petition of George & Jn<sup>o</sup> Ingersolls, this Court confirms to the petitioners the sixty acres apeece granted them, as they expresse in their petition, and doe refferr it to the præsident of said province, on such æquall conditions as he shall see meet, to grant them accomodation of tjmber for their milne.

[\*297.]

60 accres of  
land granted  
to Georg & Jn<sup>o</sup>  
Ingersoll a pec.

In ans<sup>r</sup> to the peti<sup>ō</sup>n of M<sup>r</sup> James Allen, humbly desiring a further settlement, &c, the Court judgeth it meete to referr the peti<sup>ō</sup>ner for releife to the com<sup>on</sup> law.

Ans<sup>r</sup> to M<sup>r</sup>  
James Allins  
peti<sup>ō</sup>n.

1680-1. *\*. At a speciall Gennerall Court, called by Warrant from Order of the  
 Gow'n<sup>r</sup> and Council, on Reception of his Maj<sup>ties</sup> Letter rece<sup>d</sup> p<sup>r</sup>  
 Mr Foy, 17 Dec., 80, & held at Boston, y<sup>e</sup> 4<sup>th</sup> of January, 1680.*  
 4 January.  
 [\*298.]

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
 Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>,  
 Rich<sup>d</sup> Saltonstall,  
 Daniel Gookin,  
 Daniel Dennison,  
 W<sup>m</sup> Staughton,  
 Joseph Dudley,  
 Peter Bulkley,  
 Humphry Dauy, } Esq<sup>rs</sup>.  
 W<sup>m</sup> Broune,  
 Thō Sauage,  
 Jn<sup>o</sup> Richards,  
 John Hull,  
 James Russell,  
 Barthol<sup>o</sup> Gidney,

The names of y<sup>e</sup> deputjes retourned to srve at y<sup>e</sup> Court were,—

Mr Jn<sup>o</sup> Putman, Sa<sup>t</sup>.

Mr Joseph Lynd, Mr Jn<sup>o</sup> Cutler, Chā Tō.

Mr W<sup>m</sup> Sumner, Dorch.

Mr Anthō Stoddard, Cap<sup>t</sup> Elisha Hutchinson, Bostō.

Mr Edw<sup>d</sup> Morris, Mr Joseph Grigg, Roxbury.

Mr Symon Stone, Water Tō.

Mr Edw<sup>o</sup> Oakes, Mr Joseph Cooke, Cambridg.

Mr Andrew Mansfeild, Lyn.

Maj<sup>r</sup> Samuel Apleton, Mr W<sup>m</sup> Goodhue, Ipsuich.

Mr Nichō Noyse, Mr Richard Bartlet, Newb.

Cap<sup>t</sup> Jn<sup>o</sup> Holbrooke, Weym.

Mr Dan<sup>i</sup> Cushing, Hing.

Cap<sup>t</sup> Dan<sup>i</sup> Fisher, Ded.

Cap<sup>t</sup> Edm<sup>o</sup> Goodenow, Sudbuř.

Maj<sup>r</sup> Rob<sup>t</sup> Pyke, Salisb.

Mr Peter Ayres, Hauer.

Mr John Fiske, Wenh.

En<sup>s</sup> Thō Chandler, Andev<sup>r</sup>.

Mr Jn<sup>o</sup> Broune, Read.

Lfť W<sup>m</sup> Johnson, Enš Jařm Convers, Woobo<sup>r</sup>.

Mr Jn<sup>o</sup> Peirson, Mr W<sup>m</sup> Tenny, Rowł.

Capť Geš Barber, Meadf.

Capť Rič Bracket, Branť.

Mr W<sup>m</sup> Steevens, Glocest<sup>r</sup>.

Capť Jn<sup>o</sup> Wayte, Maulđ.

Mr Abrah Williams, Marlboř.

Mr Jn<sup>o</sup> Dodge, Beueř.

Capť Sařm Ward, Marblh.

Mr W<sup>m</sup> Blake, Milton.

Mr Sařm Worcest<sup>r</sup>, Bradford.

1680-1.

4 January.

**A**T the meeting of the Court the Gove<sup>n</sup>or acquainted the Court w<sup>th</sup> the grounds of their convention, presenting his maj<sup>ties</sup> letter, & causing it to be read in full Court as mett, w<sup>ch</sup> letter John Mason, Esq<sup>r</sup>, brought, being dated the 30<sup>th</sup> of September, 1680.

The Court adjourned till the morning, at eight of the clocke.

The Court met the 5<sup>th</sup> of January, 1680, & so mett, and adjourned diem p diem, hauing debates & consideration of the things then incumbent. 5 January.

11<sup>th</sup> day of January, 1680, the Court mett, at 8 in y<sup>e</sup> morning. 11 January.

Mr Samuel Nowel is allowed thirty pounds, money, to be pajd by the Tresurer, & is in recompence for his service donne to the country in the late Narroganset warrs, and in England, and this last summer in the Prouince of Mayne, as also for money disbursed at Connecticot, &c.

12. The Court judgeth it meet to order the secretary to transcribe a true copie of his majestjes last letter, of 30<sup>th</sup> September, 80, & deliuer it to the majo<sup>r</sup> gennerall & magistrates of the county of Essex, to make signification vnto the tertēnřts w<sup>th</sup>in the precincts of Mr Masons now clajme of his majestjes pleasure conteyned in the sajd letter, being cōvened at Ipsuich or Newbery, & this w<sup>th</sup> all conuenient speede. 12 January.

Whereas, notw<sup>th</sup>standing what hath alrady past this Court concerning the revisall & amendment of our lawes, respecting such things as are objected against them from England, &c, yet nothing is effected, the effectuall proceeding therein being no smale part of the worke of this Court respecting our agents to be sent to England, it is therefore ordered, that the remayning part of that comittee, viz<sup>t</sup>, Joseph Dudley, & Peeter Bulkley, Esq<sup>s</sup>, Mr Stoddard, & Capť Hutchinson, together w<sup>th</sup> John Richards, Esq<sup>r</sup>, Mr Joseph Cooke, & Mr Josęph Lynde, the senio<sup>r</sup> magistrate appointing time & place, as a comittee,



1680-1. apply themselves to that worke, and make returne thereof to the next adjournment of this session, any former order notw<sup>th</sup>standing.

12 January.

To the end there may be a present issue put to the matters now vnder consideration, it is ordered by this Court, that messengers or agents be chosen by papers by the whole Court mett together, to goe for England, and that the comitte chosen draw vp instructions for the sajd messengers or agents, & an addresse to his majesty to carry with them, so as they be approved of by this Court.

[\*299.] \*W<sup>m</sup> Staughton, Esq<sup>r</sup>, and Samuel Nowell, Esq<sup>r</sup>, were the persons so chosen to be our agents, and that this Court be adjourned to the last Twesday in February next, at nine of the clocke in the morning, w<sup>ch</sup> was donne accordingly by the Gouverno<sup>r</sup>.

22 February. *Att a Gennerall Court, held at Boston, 2<sup>d</sup> Sessions, from 4<sup>h</sup> Janũ, & held at Boston on y<sup>e</sup>r Adjor<sup>ent</sup> 22<sup>th</sup> of February, 1680.*

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Gove<sup>r</sup>,  
Thoms Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gov<sup>r</sup>,  
Daniel Gookin,  
Daniel Dennison,  
W<sup>m</sup> Staughton,  
Joseph Dudley,  
Humphry Davy,  
Thõ Sauage,  
Jn<sup>o</sup> Richards,  
Jn<sup>o</sup> Hull,  
Saffi Nowel,  
James Russell,  
Bartho: Gidney.

16 March.

**T**HE Court mett at the tyme, and after their consideration of what was before them, adjourned to the 16 of March at nine of the clocke, & so proceeded in the consideration of their weighty affaires, bein then mett diem p die.

Penalty as to y<sup>e</sup> law, tit. Indeans, as to gunns, &c, received.

Whereas some persons, on misunderstanding the lawes formerly made against selling armes & amñitions to Indeans, haue binn ready to transgress in that matter, this Court therefore sees cause, & doe heereby revive that law, title Indeans, sect 2, strictly inhibitting all persons from giving, selling,

bartering, directly or indirectly, gunns, powder, shott, lead, armes, or aminition, 1680-1.  
to any Indean whatsoever, or mending or repaying gunns, &c, as in sajd law  
is expressed, on the paines & pœnaltjés therein contejned, any law, custome,  
or vsage to the contrary notwithstanding; provided alwajes, that it shallbe  
lawfull for our cõmissioners of these colonys for the time being, by a noate  
vnder their hands, to allow to our freind Indeans, for necessary vse, smale  
quantitjes not exceeding halfe a pound of powder to one man at one time, and  
proportionable shott or lead.

16 March.

As an addition to the law, title Inkeepers, section the first, it is ordered  
by this Court and the authority thereof, that for the future the selectmen of  
all townes shall approve of all persons to be licensed before licence be granted  
to any of them by the County Court to keepe such publick house, or be re-  
tayler of strong licquors in any of the sajd townes, & all persons shall an-  
nually renew their license at the spring Court in their respective countjes.

An addition to  
y<sup>e</sup> law, tit. In-  
keepers.

2. Before any license be granted, the grand jury shall bring in their pre-  
sentments, and in case any licensed persons shall be presented or prosecuted  
by the selectmen, or any other, for transgressing the law referring to \*such  
persons, and be legally convicted, besides the pœnalty which the law appoints  
as a punishment for their misdemeano<sup>r</sup>, their license shall not be renewed  
vntill the fine be payd; and vpon a second conviction, they shall forfeit their  
license; and the persons annually licensed, after the first day of October next,  
shall not exceed, i. e., in Boston, sixe wine tauernes, ten inhoulders, and eight  
retaylors for wine & strong licquors out of doores; in Salem, wine tauernes  
two, inhoulders fower, retajlers for uine & strong licquors fowre; in Charls  
Toune three publick houses and one retajler for uine, &c, out of doores; in  
Ipsuich, two publicque houses and one retayler for wine; in Glocester,  
two; Lynn, two; Hingham, two; Newbery, two publick houses; and in  
no other toune in this jurisdiction more then one such publick house or  
retayler.

[\*300.]

3. It is hereby declared lawfull for any of the County Courts to punish  
the transgressors of this law by fine, imprisonment, or corporall punishment,  
not exceeding ten stripes for the first offence.

In answer to the petition of the cõmissioners and selectmen of Bos-  
ton in behalfe of the sajd toune, this Court judgeth it meete to grant to  
the sajd toune liberty for the future to send three deputjes to the Gennèrall  
Court.

3 deputjes may  
be in Boston.

Vpon the quæstion proposed to this Court by some of the Castle souldjers,  
relating to head money, it is resolved, that the head money is to be allowed  
but for one rate only in the yeare.

Head mony,  
how allowed to  
Castle soul-  
djers.

1680-1.

16 March.

Addition to y<sup>e</sup>  
lawe for choyce  
of constables.

As a further addition to the fowerth section of the law, title Touneships, it is ordered, that the inhabitants of euery toune qualified, as in the sajd law is expressed, may chuse any of their toune for constables, selectmen, or jurors, although not rated as is expressed in sajd law; and such persons as shall be so chosen, and officiating accordingly, shall for euer after haue free liberty to choose & be chosen to any of the sajd places and trust as any other of the sajd toune.

Comission offi-  
cers freedom  
from consta-  
bles.

Late law as to  
troops re-  
pealled.

And it is further ordered, that all military comission officers, whilst in comission, are free from being chosen constables in this jurisdiction.

It is ordered by this Court & the authority thereof, that the late law made in October last relating to troopers shall be henceforth, and is hereby repealed.

[Pages \*331 and \*332 are blank.]

[\*303.]

Joseph Dud-  
ley, Esq<sup>r</sup>, sar-  
jant major.

Jn<sup>s</sup> Whitman  
dischldgd.

Ephraim  
Hunt ensigne  
of Weymouth.

\*Joseph Dudley, Esq<sup>r</sup>, is chosen & appointed to be sarjant major of all the tounes in the county of Suffolke, (Boston excepted.)

John Whitman, who hath binn long an ensigne to the ffoote comp<sup>a</sup> of Weymouth, being aged, sicke, & weake, & neuer like to come into the ffeild any more, humbly craues the Courts favour for a dischargd. The Court grants his request, and doe heereby appoint Ephraim Hunt, Ju<sup>n</sup>, to succeed him in that place.

Comissions to  
be renewed to  
left & ensi.  
latly under  
Cap<sup>t</sup> Hudson,  
&c.

For prevention of any inconvenience w<sup>th</sup> respect to the comission officers of the company lately vnder y<sup>e</sup> comand of Cap<sup>t</sup> W<sup>m</sup> Hudson, sajd comissions being under him as cap<sup>t</sup>, it is ordered, that the sajd comissions be renewed to them as vnder M<sup>r</sup> Ju<sup>n</sup> Walley, now cap<sup>t</sup> of sajd company.

Ans<sup>r</sup> to y<sup>e</sup> sec-  
retarys motion.  
34<sup>th</sup> added for  
public writing,  
14 of w<sup>t</sup> left in  
74 & 20<sup>th</sup> for y<sup>e</sup>  
ycaire.

In an ans<sup>r</sup> to the humble motion & request of Edward Rauson, it is ordered, that the fowerteen pounds the Tresurer demands of the secretary be chardged to the countrys account, & that the Tresurer pay him twenty pounds more in country pay, & this to be in satisfaction for extraordinary service donn, as in the peti<sup>c</sup>on, besides his sallery.

Daniel Trauis,  
cheife guner in  
Boston, sallery  
5<sup>th</sup> p<sup>r</sup> annu. in  
country pay.

Daniel Trauis, being appointed cheefe gunner in the toune of Boston, to salute, shippes, & looke after the artillery, who hath spent much time therein, had no recompence hitherto, it is ordered, that for the future he be allowed out of the tresury fwe pounds p annu in country pay, his time to comence from the first day of May last.

In pursuance of an order of the Ge<sup>n</sup>ll Court, dated 13 October, 1680, impowring us a comittee to part the trayned band at Charls Toune into two companyes, wee haue accordingly made as æquall & convenient diuission as wee could, each company consisting of aboue one hundred men, lysted

souldjers, & Captaine Hamond chose one of the sajd compā, together w<sup>th</sup> his clarke, M<sup>r</sup> John Newell, to whose hands the sajd lyst is comitted; & the roule of the other company, as it is lysted, was also left in the sajd Newells hand, desiring the honnord Court will appoint comission officers for that company, & also confirme or appoint a leiftenūt & ensigne vnto Cap<sup>t</sup> Hammonds company, w<sup>ch</sup> are not at present put into either lyst.

1680-1.

16 March.

DANI: GOOKIN, Señ,  
JAMES RUSSELL,  
LAU<sup>R</sup> HAMOND.

\*For the better & ffynall settlement of the two military companjes in [304.] Charls Toune, as now diuided by the order of this Court, w<sup>ch</sup> sd diuission is allowed & approved of by this Court, —

Finall settle-  
ment of y<sup>e</sup> 2  
compan<sup>s</sup> of  
Charls Toune.  
Cap<sup>t</sup> Lau. Ha-  
mond cap<sup>t</sup>, Jn<sup>o</sup>  
Phillips leif<sup>t</sup>,  
Jn<sup>o</sup> Call en-  
signe, to y<sup>e</sup> 1<sup>st</sup>  
company.

It is ordered, that Cap<sup>t</sup> Lawrence Hamond be captaine of the first company in Charls Toune, & that John Phillips be his leiftenūt, and John Call his ensigne.

And that Cap<sup>t</sup> Richard Sprague be captaine of the other company, and that John Cutler, Señ, be his leiftenūt, & Joseph Lynde his ensigne.

Rich<sup>d</sup> Sprague  
cap<sup>t</sup> of y<sup>e</sup> 2<sup>d</sup>  
compa., &c.

And that the secretary issue forth comissions to the sajd officers accordingly.

It is ordered, that W<sup>m</sup> Haskell be leiftenūt, & James DAVIS, Señ, his ensigne to the trayned band in Glocester, & that comission issues out accordingly.

Military offi-  
cers for Gloce-  
ster, W<sup>m</sup> Has-  
kall leif<sup>t</sup>.

In pursuance of the resolute of this Court to send two agents for England, John Richards, Esq<sup>r</sup>, is chosen & appointed to be the other agent in the roome of W<sup>m</sup> Stoughton, Esq<sup>r</sup>.

Jn<sup>o</sup> Richards,  
Esq<sup>r</sup>, agent.

It is ordered, that there be a quarter of a single country rate raised for the present supply of our agent or agents, to defray the charge of the management of the countrys affajers they are chosen to, w<sup>ch</sup> rate shall be paid in mony by the last of Aprill next.

1681.  
29 M<sup>rch</sup>, 1681,  
¼ rate.

In ans<sup>r</sup> to the petition of the comitte of Marblehead, Moses Mauerrick, Saffi Ward, Richard Norman, & John Legg, humbly desiring the remittment of their fine of tenn pounds for not complying w<sup>th</sup> the order of y<sup>e</sup> major genn<sup>ll</sup>, for not sending their number of souldjers in the time of warr, the Court judgeth it meete to remitt the one halfe of the sajd fine.

Comitte of  
Marbleheads  
fine of 10<sup>u</sup>, 5<sup>u</sup>  
only remitted.



1681. \**All a Gennerall Court of Elections, held at Boston, 11<sup>th</sup> of May, 1681.*

11 May.

[\*306.]

**S**YMON BRADSTREET, Esq̃, was chosen Gouvernor ffor the yeare ensuing, & tooke his oath.

Thomas Danforth, Esq̃, was alike chosen Deputy Goũno<sup>r</sup>, & tooke his oath, 1 coĩmission reserv.

Richard Saltoñ, Esq̃, was chosen an Assistant,	} & Major Gennerall.
Daniel Gookin, Señ, Esq̃, was chosen an Assistant,	
Daniel Dennison, Esq̃, was chosen an Assistant,	} 1 <sup>st</sup> & coĩmissioner.
John Pynchon, Señ, was chosen an Assistant,	
William Stoughton was chosen an Assistant,	} 2 coĩmissioner.
Joseph Dudley was chosen an Assistant,	
Peter Bulkley was chosen an Assistant,	} Esq̃s.
Nathaniel Saltonstall was chosen an Assistant,	
Humphrey Davy was chosen an Assistant,	} & Tresurer.
W <sup>m</sup> Broune, Señ, was chosen an Assistant,	
Thomas Savage, Señ, was chosen an Assistant,	
John Richards was chosen an Assistant,	
John Hull was chosen an Assistant,	
Samuel Nowel was chosen an Assistant,	
James Russell was chosen an Assistant,	
Peter Tylton was chosen an Assistant,	
Bartholmew Gidney was chosen an Assistant,	
Samuel Apleton was chosen an Assistant,	

Edward Rawson was chosen Secretary.

Salem : M<sup>r</sup> Samuel Gardiner, 1 š.

Charls Toũ : Cap<sup>t</sup> Lawrenc Hamond, 1 š, Cap<sup>t</sup> Richrd Sprague, 1 š.

Dorchester : M<sup>r</sup> W<sup>m</sup> Sumner.

Boston : M<sup>r</sup> Anthõ Stoddard, Cap<sup>t</sup> Elisha Hutchinson, M<sup>r</sup> Elisha Cooke.

Roxbury : M<sup>r</sup> Edw<sup>d</sup> Morrice.

Water Toune : M<sup>r</sup> Symon Stone.

Cambridg : M<sup>r</sup> Edward Oakes, M<sup>r</sup> Edw<sup>d</sup> Winship.

Lynn : M<sup>r</sup> Andrew Mansfeild.

Ipsuich : M<sup>r</sup> W<sup>m</sup> Goodhue, 1 š, M<sup>r</sup> Jonath Wade.

Newbery : M<sup>r</sup> Richard Bartlett.

Weymouth: Cap<sup>t</sup> Jn<sup>o</sup> Holbrooke.  
 Hingham: Cap<sup>t</sup> Joshua Hubbard.  
 Dedham: Cap<sup>t</sup> Daniel Fisher.  
 Springfield: M<sup>r</sup> Joseph Pynchon.  
 Concord: Cap<sup>t</sup> Th<sup>o</sup> Brattle.  
 Salisbury: Major Robert Pike.  
 Haverhill: M<sup>r</sup> Daniel Hendricke.  
 Wooborn: Lef<sup>t</sup> W<sup>m</sup> Johnson.  
 Gloucester: Lef<sup>t</sup> W<sup>m</sup> Hascall.  
 Braintree: Lef<sup>t</sup> Edm<sup>o</sup> Quinsey.  
 Maulden: Cap<sup>t</sup> John Wayte.  
 Rouley: Samuel Plat, 1 s.  
 Northampton: Lef<sup>t</sup> W<sup>m</sup> Clarke, 1 s.  
 Hadley: Lef<sup>t</sup> Phillip Smith.  
 Marlborow: M<sup>r</sup> Abraham Willjams.  
 Meadfeild: Ens<sup>i</sup>g Sa<sup>m</sup> Bullejne.  
 Beverly: Lef<sup>t</sup> Paul Thorndicke.  
 Milton: M<sup>r</sup> Robert Tucker.

1681.

11 May.

At this sessions Cap<sup>t</sup> Daniel Fisher was chosen Speaker.

\*This Court, taking into their consideration the law, title Catle Rated, made in October last, see cause to repeale the same, and it is heereby repealed to all intents & purposes, so far as it relates to such as are in confederation with us.

[\*307.]  
 Law ab<sup>t</sup> custom  
 for catle re-  
 pealled, refer-  
 ring to o<sup>r</sup> con-  
 federates.

The honnored Thomas Danforth, Esq<sup>r</sup>, our present Deputy Governo<sup>r</sup>, is ellected & appointed præsident of the Province of Majne for the yeare ensuing.

Tho. Danforth,  
 Esq<sup>r</sup>, præsidi-  
 dent for y<sup>e</sup>  
 Province of  
 Majne.

Major Pynchon, Major Sauage, & Sa<sup>m</sup> Nowell, Esq<sup>s</sup>, w<sup>th</sup> Major Pike, Cap<sup>t</sup> Sprague, Cap<sup>t</sup> Wayte, & Lef<sup>t</sup> Johnson are appointed a co<sup>m</sup>ittee to inquire concerning the present state of the Prouince of Majne, & the setle<sup>m</sup>t of Fort Loyall, & to consider what is necessary further to be donne for the maintenance thereof, and to present the same to the Court forthw<sup>th</sup>.

Co<sup>m</sup>ittee ab<sup>t</sup>  
 the Province  
 of Majne.

1. The return was for the province itselfe. Wee cannot as yet, by any inquiry, satisfy ourselues so as to give information to the Court what it may produce.

Their returne.

2. For the fort, wee apprehend a needfull that it should be continued or defended, both for the securing of the people in these parts against the Indians

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11 May.

and any bad neighbours, & also from the encouragement that people take from it to replant themselves there.

3. In order to the mainteyning or defence of that fort & place, wee judge there cannot well be less then thirteen men, viz<sup>t</sup>, a captaine, a sarjant, a gunner, & tenn private souldjers.

4. Wee are informed that the people of that province are so sencible of the bennefit to themselues that they are uilling to maintaine six private souldjers.

5. The remainder of the charge for the captains sallery, sarjant, & gunner, and fower souldjers, w<sup>th</sup> a magazine, will ammount to fower hundred pounds p annū, in country pay.

6. Wee hope something to ease this burthen may be raysed out of the bevar trade, and from the sawmills, & some other ways, which may, in a litle time, wholly ease the colony of this present burthen.

Signed, JOHN PYNCHON,  
in y<sup>e</sup> name of y<sup>e</sup> coūmittee.

The Courts ap-  
probation  
thereof & order  
May 11.

The Court, hauing perused the retorne of the coūmittee, & doe approve of it, and order, that Fort Loyall be mayntejned at the charge of this colony, provided the province maintejne sixe souldjers, and the honored præsident is desired to take care of it, that it be maintejned w<sup>th</sup> as litle charge as may be.

Ans<sup>r</sup> to Mary  
Noyes, late  
Willards, pe-  
tion, 1000 acre  
land grant. 6  
youngest chil-  
dren of Major  
Willard.

In ans<sup>r</sup> to the petition of Mary Noyes, relict of the late Major Symon Willard, the Court judgeth it meet <sup>^</sup> y<sup>e</sup> petiōner, for & on behalfe of the six youngest children of the late honored Major Symon Willard, one thousand acres of land, in any free place beyond Nashaway Riuer, & doe hereby order, that the land heereby granted remajn vndisposed off vntill all the children aboue mentioned attayne to the age of one & twenty yeares old.

[\*308.]

Order as to the  
tounes sea  
wall.

\*Whereas, vpon the proposall of the honnoured council vnto the select men of the toune of Boston for securing sajd toune against a comō ennemy, and sajd selectmens proceedings & grant therevpon, and the vndertakers ingagemēt in order therevnto, and sajd councils approbation thereof, together w<sup>th</sup> sajd selectmens explanation of s<sup>d</sup> grant, & the vndertakers additionall agreement to compleate their worke, now presented to this Court, it appeareth that, at the great cost, paines, & hazard of sajd vndertakers, a sea wall hath binn built, and almost finished, for the safety of sajd toune & this his majestjes colony, — now, forasmuch as sajd wall will require much care, charge, & vnanimitye of the vndertakers to compleate & maintejne the same

for want thereof great damage hath acrewed to the worke, and which may endanger all, —

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Vpon the motion of the vndertakers of the out worke or wall before the toune of Boston, to the seaward, it is enacted by this Court & the authority thereof, that sajd vndertakers, their heires, execcuto<sup>r</sup>s, administrato<sup>r</sup>s, & assignes, or major part of them, shall haue power to make orders for finishing and preseruing the sajd wall, the regulating of themselues, and appointing persons among themselues to mannage their affajres, who shall haue power to heare & determine controversyes among themselues, & to impose fines on transgresso<sup>r</sup>s among themselues, *and to impose fines on transgressors among themselves*, not exceeding twenty shillings at a time, and to implead in any Court of this county of Suffolke any of themselues that shall not pay sajd fines, or any other person that shall damnify sajd wall.

Sarjant James Hill is chosen & appointed ensigne to the ffoote company in Boston now vnder the comānd of Cap<sup>t</sup> John Walley. James Hill ensigne.

Thō Colton is appointed ensigne to the ffoote company at Springfield ; Tho. Colton ensigne.  
Ensigne Jn<sup>o</sup> Hayward is appointed leiftenānt to the foote company vnder the comānd of Cap<sup>t</sup> Elisha Hutchinson. Jn<sup>o</sup> Hayward left.

Ensigne Ephraim Searle is appointed leiftenānt to the foote company in Boston vnder the comānd of Cap<sup>t</sup> Pen Tounesend. Ephraim Searle left.

Srj<sup>t</sup> Symeon Stoddard is appointed ensigne to the ffoot company vnder the comānd of Cap<sup>t</sup> Pen Tounesend, & to haue his comission when he hath his freedome granted him by y<sup>e</sup> Court. Symeon Stoddard ensigne to Cap<sup>t</sup> Tounesend.

Sarj<sup>t</sup> Bozoone Allen is appointed ensigne to a ffoot company in Boston vnder the comānd of Cap<sup>t</sup> Elisha Hutchinson, & to haue comission when he hath his freedom granted him by the Court. Bozoone Allen ensigne to Cap<sup>t</sup> Hutchinson.

John Patch, of Beuerly, is appointed ensigne to the ffoot company at Beuerly vnder the comānd of Cap<sup>t</sup> Willjam Dixie. Jn<sup>o</sup> Patch ensigne at Beuerly.

\*It is ordered by this Court, that the comānders of the seuerall troops of horse in this colony doe, w<sup>th</sup> all convenient speede, relyst such troopers as haue disbanded themselues from their respective troops, (vnder countenance of a law now repealed,) who are able & sufficient for, & willing, to attend the cōntrjes service therein. [\*309.]  
Order for relyingst of troopers.

Right Honno<sup>r</sup><sup>ble</sup> : —

His majestjes great goodness & favour in giving vs a further oppertunity to attend him in the affajres of this his colonje, expressed in his gracious letter bearing date the 30<sup>th</sup> of September, 1680, — Courts letter to Sr Lionel Jenkins, knt., one of his majj<sup>s</sup> secretary of state.

Wee, with most humble thankfulness, acknowledge ; and that wee may



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not be reflected vpon as those that make very vsuitable returnes therevnto, we haue taken the boldnes to trouble your hono<sup>r</sup> with the ffollowing account of our proceedings, whereby wee hope so great an infelicity maybe preuented, and which, though it may seeme late, yet is by the first from hence, except one ready to sajle when his majestjes co<sup>m</sup>ands were receiued by vs.

Vpon the receipt of his majestjes sajd letter, (though at a season, in regard of the extremity of the cold & snow, very difficult for the freemen, espetially those remote, to assemble in,) the Governo<sup>r</sup> forthwith sum<sup>o</sup>oned a Gennerall Court, which being mett January the fowerth, and his majestjes letter co<sup>m</sup>unicated w<sup>th</sup> all duty & regard, the contents thereof were taken into serious consideration. And, in the first place, wee appljed ourselues to the chojce of agents, that they might haue timely notice to prepare themselves for that service, so as to be ready to imbarque vpon the first opportunity.

Wee considered of instructions for them; wee carefully perused our whole booke of lawes, pursuant to the exceptions made to some of them by M<sup>r</sup> Attorney & M<sup>r</sup> Solicito<sup>r</sup> Gennerall, when our late agents were attending his majesty, and their informations given us since their returne home, wherein wee haue made a considerable progresse towards a conclusion.

Wee also published his majestjes pleasure to those villages of this colony on the south of Merrimacke, some part whereof M<sup>r</sup> Mason makes his pretensions vnto; but what are his bounds & ljmitts wee nor the inhabitants there doe not know, but are in hope that what may be presented to his majestje on their behalfe willbe sufficjent to obuiate the clamour & groundles pretenses of the complajner.

[\*310.]

\*But so it is, right honno<sup>r</sup>ble, that wee finde it no easy matter to prevajle with persons in any degree quallified to vndertake such a voyage at this tyme; and though seuerall elections haue been made, wee haue not as yet obtained the consent of any. The present calamity of others of this country, now slaues in Algire, (and one of them an agent from one of his majestjes colonies heere,) not yet ransomed, doth greatly discourage, esppecially such as liue in good credit & condition.

And truely, s<sup>r</sup>, should persons vnder such a charrecter be taken, wee haue cause to beleive their ransome would be so high that it would be hard for us to *to* procure it amongst a poore people yet labouring vnder the burthen of *of* the arrears of our late warr w<sup>th</sup> the Indeans & other extraordinary charges not yet defrajed.

S<sup>r</sup>, wee doe not vrge this as that which hath kept us from o<sup>r</sup> duty, but only as an inconvenience that meets vs in the discharge of it. Wee doe not take ourselues to be disoblged; wee haue not departed from o<sup>r</sup> resolutions;

but hope, the premisses considered, (w<sup>th</sup>out mentioning other ill circumstances w<sup>ch</sup> wee are attended with in this affajre,) that the lapse of time will not be reflected on as proceeding from the want of loyalty & allegiance in us, which wee humbly professe that wee will alwayes beare to his most sacred majestje, and will the rather hope for his *his* majestjes pardon therein, for that wee vnderstand his majesty<sup>s</sup> time is still taken vp in those weighty affajres (especially relating to the horrid & execrable Popish plott) w<sup>ch</sup> were the cheife occasion of his dismissal of our former agents; so that wee haue ground to feare that our attendance at present may be troublesome to his majestje and vnprofitable to ourselues.

Right honno<sup>r</sup>ble, wee humbly pray that this our addresse may be accepted and taken in good part by your honno<sup>r</sup>, and that yow will please to favo<sup>r</sup> vs, his majestjes most dutyfull & obedient subjects, w<sup>th</sup> a representation of our present condition heerein conteyned, that wee may not incurr his majestjes displeasure, nor be thought regardless of his comānds, wherevnto wee haue binn assembled in Gennerall Court, endeavoring to give euidence of our obedience.

Herein yow will foreuer oblige to pray for yo<sup>r</sup> happiness,

Right honno<sup>r</sup>ble,

Your most humble servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In the name & by the order of the Goūno<sup>r</sup> & Com<sup>p</sup>any of the Massachusetts Bay in New England.

Dated in Boston in N. England, June 3<sup>d</sup>, 1681, & was supscribed, To the Right Honno<sup>r</sup>ble S<sup>r</sup> Lyonel Jenkins, Knt<sup>t</sup>, one of his maj<sup>ties</sup> principall secretarjes of state, these humbly present. D<sup>d</sup>. M<sup>r</sup> Bulkley was sent in M<sup>r</sup> Edwards.

\*In answer to the petition of the Reuerend M<sup>r</sup> Jn<sup>o</sup> Sherman, the Court judgeth it meete to order, that W<sup>m</sup> Stoughton, Joseph Dudley, Peter Bulkley, & John Richards, Esq<sup>rs</sup>, Cap<sup>t</sup> Jn<sup>o</sup> Wayte, Left Edw<sup>d</sup> Winship, Left W<sup>m</sup> Johnson, Cap<sup>t</sup> Thomas Brattle, & Cap<sup>t</sup> John Holbrooke be a com<sup>i</sup>tee to repaire to Water Toune, and on a due hearing & consideration of the case, make their returne to the next session of this Court in October, what they finde therein, in order to a fynall issue thereof.

[\*311].

A com<sup>i</sup>tee in ans<sup>r</sup> to M<sup>r</sup> Shermans petition.

In ans<sup>r</sup> to the petition of Rebeckah Errington, relict & administratrix on the estate of the late Abraham Errington, the Court judgeth it meet to referr

Ans<sup>r</sup> to Rebecca Erringtons petition.

1681. the petitioner to the County Court of Middlesex, who are impowred to act therein, & to order the sale of such lands as shall be necessary for the ends proposed by the petitioner.

11 May.

Ans<sup>r</sup> to Meadfeild peti<sup>o</sup>n on motion by Jn<sup>o</sup> Pattrigg, &c.

In ans<sup>r</sup> to the motion of Jn<sup>o</sup> Patrig, Wi<sup>m</sup> Allin, &c, of Meadfeild, it is ordered, that the above mentioned rates exprest therein be abated to the peti<sup>o</sup>ner<sup>s</sup>, is to be vnderstood as well money as other pay.

Ans<sup>r</sup> to Sarah Sandfords peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of Sarah Sandford, relict of Jn<sup>o</sup> Sanford, the Court judgeth it meet to referr the petitioner to the County Court in Suffolke, who is hereby impowred to act therein for the impowring the petitioner to make sale of such part of the land as may answer the end proposed to pay the just debts.

Ans<sup>r</sup> to Henry Kembles peti<sup>o</sup>n of Hauerill.

Vpon the motion of Henry Kemble, administrato<sup>r</sup> of Th<sup>o</sup> Dow, of Hauerill, deceased, that some of the lands by him, the sajd Dow, left, may be sold to pay his necessary debts, the Court doth grant him power so to doe, taking the advice of Lef<sup>t</sup> Broune & W<sup>m</sup> White, of Hauerill, making retorne of his acts to any County Court in Essex, for their approbation, vpon seeing the necessity pretended cleered vp to them.

Ans<sup>r</sup> to M<sup>r</sup> Antipas Newmans peti<sup>o</sup>n.

In ans<sup>r</sup> to the humble motion of John Newman, administrato<sup>r</sup> to the estate of M<sup>r</sup> Antipas Newman, of Wenham, deceased, the Court judgeth it meet to grant the peti<sup>o</sup>ners request exprest in his motion, referring it to the County Court of Essex to approve & confirme the sale of some land for the ends therein exprest.

Ans<sup>r</sup> to y<sup>e</sup> peti<sup>o</sup>n of M<sup>rs</sup> Elisa Winsleys peti<sup>o</sup>n.

In ans<sup>r</sup> to the peti<sup>o</sup>n of M<sup>rs</sup> Elisabeth Winsley, relict & excecatrix to hir husband, Jn<sup>o</sup> Winsley, humbly desiring the favour of this Court to grant hir liberty to sell a parcell of land mentioned in hir peti<sup>o</sup>n, it not being intayled, but a mortgage forfeited, the Court grants hir request.

Courts impowr M<sup>r</sup> Nath<sup>l</sup> Bosworth to administer oaths & to marry, &c, at Hull.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Nathaniel Bosworth, in behalf of the freemen, & Isaack Lobdell, on y<sup>e</sup> behalf of y<sup>e</sup> selectmen, the Court judgeth it meet & doe heereby impower Sarjant Nathaniel Bosworth, of Hull, to administer oathes in the toune, and to marry persons there, provided one of the sajd persons be an inhabitant amongst them, and that they be published according to law.

[\*312.]

Ans<sup>r</sup> to Faith Jacksons peti<sup>o</sup>n.

\*In ans<sup>r</sup> to the peti<sup>o</sup>n of Faith Jackson, this Court impowers the County Court of Suffolke to grant the peti<sup>o</sup>ner full power to sell so much land as may answer the just debts.

Ans<sup>r</sup> to M<sup>r</sup> Jonathan Wades peti<sup>o</sup>n.

In ans<sup>r</sup> to the peti<sup>o</sup>n or motion of M<sup>r</sup> Jonathan Wade, on behalf of himself & Mary Symonds, his daughter, the Court respts the consideration thereof till the next sessions, in October, when the partjes concerned may be present if they will, & that the secretary give timely notice to all persons

concerned then to appeare to attend the Court for a determination of that matter. 1681.

In ans<sup>r</sup> to the motion & petiçōn of W<sup>m</sup> Stoughton and Joseph Dudley, the Court judgeth it meete to grant this motion, and doe further desire & impower the wo<sup>r</sup>pff<sup>l</sup> W<sup>m</sup> Stoughton & Joseph Dudley, Esq<sup>s</sup>, to take particu-  
lar care & inspection into the matter of the land in the Nipmug country, what titles are pretended to by Indeans or others, and the validity of them, and make returne of what they find therein to this Court as soone as may be.

11 May.  
Ans<sup>r</sup> to W<sup>m</sup>  
Stoughton &  
Joseph Dud-  
leys motion &  
Indians peti.  
annext.

Quest<sup>i</sup>: Whither constables in tounes, & clarkes of the trayned bands, & such like officer as may be appointed to collect rates or fines, are not to execute all warrants from lawfull authority for levying of such fines & rates, if not comitted to any former officers, although due before such constable, clarke, or other officer were sworne, the Court resolves this question on the affirmative.

Courts resolute  
to y<sup>s</sup> quest. ab<sup>t</sup>  
constables &  
clarks to col-  
lect rates.

Sarah Onnamaug, widdow & relict of Onnamaug, deceased, late ruler & sagamore of Whip Sufferage, the Indian plantation nere Marlborow, hath liberty from this Court to sell & alljenate ynto any English person that uill buy the same, hir late husbands home lot & orchard, w<sup>th</sup> about sixty acres of woodland & meadow adjoyning to the same, so that the whole exceed not one hundred acres, provided Major Gookin & M<sup>r</sup> Elljot consent and approve the bargaine on behalfe of the Indian woman, & order assurance to lay out the land, & the payment to be secured for the said widdow, for the main-tenance of herself & children. The Court doth grant the petiçōners request heerein, it being instead of what grant is mislayd.

Courts grant to  
Onnamage,  
India<sup>s</sup> widdow.

Ordered, that there be a conference of both houses y<sup>s</sup> afternoone with A conference.  
reference to the dispatch of our agents to England.

In ans<sup>r</sup> to the petition of John Griggs, of Roxbury, the Court grants the petiçōners request, and accordingly W<sup>m</sup> Stoughton, Esq<sup>l</sup>, as administrato<sup>r</sup>, is impowred to passe a deed for the same.

Ans<sup>r</sup> to Griggs  
petiçōn.

Ensigne W<sup>m</sup> Busse, of Concord, is appointed leftennant to the ffoote company at Concord, vnder the comānd of Peter Bulkley, Esq<sup>l</sup>, captaine.

W<sup>m</sup> Buss, en-  
signe, now lef-  
ten<sup>nt</sup>.

Sar<sup>t</sup> Jeremjah Beale is appointed ensigne to a foote company in Hing- ham, vnder the comānd of Cap<sup>t</sup> Joshua Hubbard.

Jerr. Beale en-  
signe.

\*This Court, being informed that M<sup>r</sup> Samuel Worcester, who, in the winter last, dyed vpon the road in his journey to the Court as deputy, was constable for Bradford, & had not finished the collecting of the rates in his time comitted to him, doe order the selectmen of that place ^ doe their vtmost to finde out what was by him collected, & that what they cannot find donn be

[\*313.]  
Bradford rate,  
how to be col-  
lected, &c.



1681.

by them committed to the present constable, who is heereby impowred & required to collect the same as if made in his yeare.

11 May.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Seueranc peti-  
cion.

In ans<sup>r</sup> to the humble petiçon of John Seueranc, of Salisbury, the Court judgeth it meet to order, that the three tounes late of Norfolke remayning forthuith, by rate, doe make payment of their proportion of that account, & that Cap<sup>t</sup> Saltonstall & Major Pike is to inspect the same, that it be speedily donn, and referr the petiçoner for his remedy ag<sup>t</sup> ~~the Treasurer,~~ ~~Mr Dalton, that signed the same account,~~ and as to the remajnder the country Treasurer pay the same.

Ans<sup>r</sup> to And-  
iver petiçon.

In ans<sup>r</sup> to the petiçon of Cap<sup>t</sup> Dudley Bradstreet & other y<sup>e</sup> select men of Andiver, the Court judgeth it meet to referr the petiçoner for resolution in this case to an order made in ans<sup>r</sup> to a petition from Melton, in May, 1678, where there is full provision made touching all such matters.

Ans<sup>r</sup> to Mary  
Phillips peti-  
cion.

In ans<sup>r</sup> to the petiçon of Mary Phillips, the Court judgeth it meete to grant the petiçon, provided that Cap<sup>t</sup> Hamond, Cap<sup>t</sup> Sprague, & Cap<sup>t</sup> Wayte concurr in y<sup>e</sup> sale of the wood lotts mentioned in sd petiçon.

Ans<sup>r</sup> to Jn<sup>o</sup> &  
Robt Bloods  
petition.

In ans<sup>r</sup> to the petiçon of John & Robert Blood, the Court judgeth it meet to referr the full issue of this case to the County Court in Middlesex, the order of the Gennerrall Court being attended.

Ans<sup>r</sup> to y<sup>e</sup> se-  
lectmen of  
Newberys peti-  
cion.

In ans<sup>r</sup> to the petition of Nicholas Noyes, Samuel Plumer, &c, selectmen of Newbery, humbly desiring that, being agreed, the late order for the payment of sixty pounds p annū to their then schoole master, may be repealed, the Court judgeth it meet to grant the petiçon.

Ans<sup>r</sup> to Joseph  
Whites peti-  
cion.

In ans<sup>r</sup> to the petition of Joseph Whyte, of Mendon, the Court judgeth it meete to allow the petitioner forty shillings money in full of his clajme, he hauing neglected his due season of obteyning payment.

Ans<sup>r</sup> to Sam.  
Reads petiçon.

In ans<sup>r</sup> to the petiçon of Samuel Read, late constable of Mendon, the Court judgeth it meet to grant a remission of the sajd three pounds twelve shillings mentioned in his petiçon, as a remajnd<sup>r</sup> of two rates not to be obtayned, &c.

Ans<sup>r</sup> to Bar-  
tholomew  
Heaths peti-  
cion.

In ans<sup>r</sup> to the petition of Bartholmew Heath, the Court judgeth it meete to referr the petiçoner to the County Court in Essex, impowring them to act therein as they judge just & æquall.

[\*314.]

Ans<sup>r</sup> to Sam-  
uel Ruggles  
petiço.

\*In answer to the petition of Samuel Ruggles, Señ, of Roxbury, Joseph Dudley, Esq<sup>r</sup>, Mr Thomas Weld, & Mr John Bowles are appointed to vejw the land offered to sale, & the petitioner impowred, w<sup>th</sup> their consent, to passe deeds for the same, so as the guardians for the children of Jn<sup>o</sup> Bridge be joyned to the sajd comitte, to see that the debt be justly due, & no more land sold then is necessary for y<sup>e</sup> payment aboue<sup>d</sup>.

In answer to the petition of Elisabeth Maning, wife of Nicholas Maning, it is ordered, that what estate can be found of Nicholas Maning, either in possession or reuersion, be secured by the County Court at Salem, & by them disposed of for the petiçoners maintenance and support from time to tyme, as they shall thinke fitt.

1681.

11 May.

Ans<sup>r</sup> to Elisabeth Mannings petiçon.

In ans<sup>r</sup> to the petiçon of Jn<sup>o</sup> Man, Thomas Skinner, W<sup>m</sup> Hoare, & George Davison, loafe bread bakers in Boston, the consideration thereof is refferred to Major Thomas Sauage, & John Hull, Esq<sup>s</sup>, M<sup>r</sup> Stoddard, Cap<sup>t</sup> Brattle, & Cap<sup>t</sup> Hutcheson, to heare & examine the ground of their complaints in their sajd petition, & to consider of such wayes & meanes as may ease their complaints, if it <sup>is</sup> just, and to propose that which may regulate for the future, & to make returne thereof to the next session of Court in October.

Ans<sup>r</sup> to y<sup>e</sup> loafe bread baker petiçon.

In ans<sup>r</sup> to the remonstrance & petiçon of the loafe bread bakers in Boston, the Court judgeth it meete to reffer it to the comittee already chosen, <sup>and</sup> their consideration, they making returne to the Gennerall Court.

Bakers remonstrance referrd, &amp;c.

In ans<sup>r</sup> to the petition of Nathaniel Stow, of Concord, the relict & executrix of the late Willjam Fletcher is impowred to make the petiçoner a deed of sale of sajd house & lands mentioned in the petiçon.

Ans<sup>r</sup> to Nath. Stows petiçon.

Nathaniell Felton is appointed to be leiftenūt to the foote company in Salem, vnder comānd of Cap<sup>t</sup> Jn<sup>o</sup> Coruin, and Israel Porter is appointed his ensigne, who is to officiat in y<sup>t</sup> place till he be a freeman, & then to haue comission.

Nath. Felton left, & Israell Porter ensigne to Cap<sup>t</sup> Corwin.

The Court, being informed that Leiftenūt W<sup>m</sup> Clarke, Cap<sup>t</sup> Aron Cooke, & Leiftnūt Phillip Smith are nominated by y<sup>e</sup> freemen of Hampshire to be associats for that county for the yeare ensuing, the Court allowes & approoues of them so to be.

Hampshire associats.

Joseph Dudley & Jn<sup>o</sup> Richards, Esq<sup>s</sup>, are appointed to joyne w<sup>th</sup> James Russell, Esq<sup>r</sup>, & Tresurer, to compound w<sup>th</sup> the ordinarjes for their licenses.

Comittee abt licenses.

In ans<sup>r</sup> to the petition of Samuel Wentworth, the Court judgeth it meet to order the Tresurer to pay the petiçoner thirty pounds in money.

Ans<sup>r</sup> to Samuel Wentworths petiçon.

In ans<sup>r</sup> to the petiçon of Richard Hutton, the Court judgeth it meet to grant the petioners request, & orders Cap<sup>t</sup> Jn<sup>o</sup> Hull, late Tresurer, to allow y<sup>e</sup> petiçoner three pounds on the rate account.

Ans<sup>r</sup> to Ric. Huttons peti.\*Gent<sup>n</sup>: —

[\*315.]

Major Pinchon hath given vs account of a late suite comēced in your Court at Hartford, & judgment therevpon granted to M<sup>r</sup> Bulkley against him for about fuetty pounds in money, which debt was contracted for the cure of a souldjer wounded in the late warr, of which matter wee are also further acquainted by letter from your Governo<sup>r</sup> vnto ours, which haue binn comūnicated

Generall Courts letter.

1684. to us. Wee haue also perused the conclusions & agreement of the cõmissioners of the Vnited Colonjes, holden at Plimouth, wherein it is agreed expressly that each colony pay such debts as are yet standing out to their oune inhabitants, &c. To insert the whole of that article is needless, it being before you vnder your oune hands as well as vnder ours.

11 May

Wee are deeply sorry that wee haue a necessity plainly to say vnto you, who are our brethren as well in religion as civil confederation, that there is a plaine & mannifest breach in your allowance & countenance of the fore recited suite, so directly opposite to that agreement. Wee haue been made senceible by our cõmissioners, who assisted in that meeting, how imperfect your accounts were, and how vnreasonable to be allowed in strict justice, had not a resolution bin in them, to haue compljed vpon any termes, besides their sincking of too greate a sume to be mentioned justly due to ballance; after all which, for yourselves to allow such a suite & issue is most vnreasonable. And wee must plainly say wee are vtterly vnsatisfied w<sup>th</sup> your Gouverno<sup>r</sup>s account thereof, especially when he vrgeth our respect and meere favour don to M<sup>r</sup> Bulkley, vpon complaint of your neglect of payment to order him forty pounds, as if therein wee confessed judgment against ourselves, when, in deed, the guesse is so wide from the true cause, and so ill construction & vse made thereof, that wee haue aduised and agreed a retrenchment of that order, and resolved to lett yow take your owne way to an issue, if yow judge best, that so wee may see how to take our oune measures, and know what wee haue to trust vnto, since such solemne contracts are not sufficient to oblige vs each to other, not pleasing ourselves w<sup>th</sup> an extrienniall meeting, since the issue of the last is no more avajle. Wee might instance some other breaches in lawe made by the sajd judgment, as that, in the account, the Massachusetts colony is charged debto<sup>r</sup>, whiles the processe & judgment is against Major Pinchon; [\*316.] that the \*judgment is money, when no such contract appeares, which are plaine breaches, but inconsiderable to be mentioned w<sup>th</sup> the violation & breach of the cõmon faith & vnion that is betweene vs in the confederation, which wee haue hitherto holden sacred & inviolate.

Wee are also, by our cõmissioners, given to vnderstand the strainge issue of your former resolution of rũing the lje betweene yo<sup>r</sup> colony & ours, w<sup>ch</sup> wee were so much urged w<sup>th</sup> the last yeare. Wee did alwayes, both then and now, judge that matter well enough settled, but compljed for your satisfaction to haue made a further discouery & ascertening thereof, but are acquainted by the gentlemen appointed to attend that service that by some of your majestates the last yeare, the matter was indirectly dismissed, w<sup>th</sup>out any just reason assigned, by all which wee are made doubtfull least some other princi-

ples doe now governe your motions then that plainness, & candour, & respect that was heeretofore betweene these colonjes, and which wee hope is still remajning w<sup>th</sup> ourselues at least, hath been in the abouesajd transactions.

1681.

11 May.  
To Connecti-  
cott.

Wee haue not to add but to intreat your oune just reflections vpon these things, with our earnest prayers to Almighty God that while so many are vnjustly our ennemjes, & seeke our ruine, himself may not, by such things as these, be provoked justly to take a part against us, & to stirr vp such an evil spirit as like fire may deuoure us, to the sattisfaction of such as say, 'So would wee haue it.' Thus, gent<sup>n</sup>, hauing given yow our plajne sence of these affaires, desiring the guidance & blessing of Almighty God, wee are,

Your freinds & confederates,

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

Signed by order of the Goũno<sup>r</sup> & Gennerall Court.

Boston, 17<sup>th</sup> May, 1681.

In answer to the petition of Joseph Bernard, of Hadley, it is ordered, that the Tresurer pay the petiçõner thirty seuen shillings & sixpence.

Ans<sup>r</sup> to Bar-  
mards pet.

In answer to the petiçõn of Abraham Gale, humbly desiring this Courts fauor to passe their allowanc & confirmation of his sale of 2 or three smale parcells of land left out of his late father Richard Gales will, he being his sole executo<sup>r</sup>, & being to pay debts, w<sup>ch</sup> came to about eighteen pounds, as in 3d petiçõn is exprest, &c, the Court judgeth it meet to grant his request.

Ans<sup>r</sup> to Abra-  
ham Gales peti.

In ans<sup>r</sup> to the petiçõn of Kathrine Bell, of Charls Toune, administratrix to the estate of hir late husband, Abraham Bell, humbly desiring the fauor of this Court to grant hir liberty to sell the house & land of hir late husbands, that so the children being brought vp, the produce thereof may be divided amongst hir children, reserving a double portion thereof for hir eldest son in England, &c, as in sajð uill is exprest, the Court judgeth it meet to grant the request.

Ans<sup>r</sup> to Kath-  
erin Bells peti-  
çon.

\*Majo<sup>r</sup> Jn<sup>o</sup> Pynchon this day made his returne of the Macquars finall conclusion of peace, w<sup>ch</sup> was ordered to be recorded, & was as follows:—

[\*317.]

27 May, 1681.

The Macquars answer to Majo<sup>r</sup> John Pynchons propositions, 9 Novemb<sup>r</sup>, 1680, Arnought Cornelisen, vidlẽ interpreter.

Major Pin-  
chons returne,  
in p<sup>r</sup>esence of  
Capt Brock-  
holes, Major  
Pynchon, the  
magistrats at  
Albany, Der-  
ick Wessell, Dr  
Van Dycke.

They say: Brother Pynchon, wee are glad that wee see yow heere againe, like as wee did see yow 4 yeers past, and wee vnderstand your proposition therein, in yow order vs to vse the axe no more against the Indians eastward, & give yow great thankses for the presents & gifts; and by this time there is not many Indians at home to make vp many belts of wampam, but w<sup>th</sup> the few that wee brought w<sup>th</sup> us in the afternoone shall giue yow answer.



1681.

27 May.

In y<sup>e</sup> afternoon they desired to consider of their ans<sup>r</sup> till next morn<sup>g</sup>, because they s<sup>a</sup>jd many hard things were spoken & resolved on, w<sup>ch</sup>, because of y<sup>r</sup> present, or they must speake well too.

The names of y<sup>r</sup> Sakemaks, Canondondawe, Odenajne, Onegahace, Onawastoex, Tawengo, Neganaguenda.

Brother Pynchon, your journey that yow haue don wee vnderstand that it hath been tegious, & wee are glad that wee haue heard yow speake the like 4 yeares past in this house of Courler, ower brother, and haue spoken concerning the couenant, so haue wee yesterday understood, 1. with a great gift, & concerning ower young Indians, that they should a don any mischeife, they are not all times by there sence & reason, and doe present y<sup>e</sup> w<sup>th</sup> a belt of zewant, <sup>11</sup>fouerteene heij.

2. All that was spoken yesterday in the Gouverno's house shall not be broaken on our side; wee haue made a couenant w<sup>th</sup> our Gouvern<sup>r</sup>, and also w<sup>th</sup> the Goûn<sup>r</sup> of Cannida, the which wee shall continually keep whole; let this be also, which shall not be wanting of ower side; and doe you take care that yow be not ashamed, vpon which wee should also be ashamed, & looke that wee posible one time or other doe not find one of ower children ded, therevpon lay doune one belt zewant, <sup>12</sup>twelue heij.

3. Yow haue yesterday spoken of your Christian Indians that should be vnder vs prisoners; it is not so large as you thinke; it is true there is sume, but they are no prisoners, but free, & giuen ouer to them that receive them as there children, therefore very hard to deliuer them backe againe; but you doe well that you demand them, but wee cannot promise them, being it is so hard from any man to part from flesh and blood; therevpon lay doune a belt of zewant <sup>14</sup>fowerteen heij.

[\* 318.]

Conclusions of peace between the Macquars, y<sup>e</sup> goûn<sup>r</sup>, & our freind Indians.

\*4. Wee haue had a long time of warr w<sup>th</sup> them nations in former yeares, & at that time haue received many damages, w<sup>th</sup> a great losse of ouer Indians, & afterwards come to a peace w<sup>th</sup> a great gift; but now in these last warr, wee are set on by you & the Goûno<sup>r</sup> ower brother, and what wee haue donn as servants for the defence of ower brother Pynchon; but now wee vnderstand that it is peace between the Christians & there Indians there, & wee are ordered to lay doune the axe, which wee doe with gladnes, for we haue neuer had any delight in this warr, but haue donn it as servants & souldjers; there vpon lay doune a belt of zewant, <sup>17</sup>seventeene heij.

5. What was spoken here let it be made knoune throug<sup>h</sup> your whole countrey, and to all that may come to yow from other places; if yow cannot vnderstand there languidge, then vse a interpreter that cann speake there languidge, that it may goe though there eares, as wee doe here by the Goûen's interpreter. 10 November, 1680.

Coppey out of the Dutch by me,

RICH<sup>d</sup> PRETTY.

Copia vera. Attest<sup>r</sup> p ord<sup>r</sup>,

EDWARD RAWSON, Secre<sup>t</sup>y.

It is ordered, that Major John Pynchon, Esq̃, for his great paines in his hard journey last uinter to the Macquars, & concluding a peace w<sup>th</sup> them, be paid twelue pounds money.

1681.

27 May.

Major Pynchons recompence for going to y<sup>e</sup> Macquars, &c.

In ans<sup>r</sup> to the petiçōn of Abigaile Kelog, the Court judgeth it meet to order the Tresurer to pay the petiçōner tenn pounds in country pay on the gennerall account of Hadley.

Ans<sup>r</sup> to Abigaile Kelogs petiçōn, & 10<sup>th</sup> to be p<sup>d</sup>.

In ans<sup>r</sup> to the petition of Phillip Smith, Chilljab Smjth, & Samuel Patrigg, guardians to the orphan children of the late Jn<sup>o</sup> & Mary Smith, deceased, humbly desiring the favo<sup>r</sup> of this Court to grant them liberty to sell a smale ædifice w<sup>ch</sup> is decaying, & noways like to be any wayes profitable for the bennefit of s<sup>d</sup> orphans, the Court judgeth it meet to grant this their request.

Ans<sup>r</sup> to Leff Smith & other guardians to sell house, &c.

In ans<sup>r</sup> to the petition of the proprietors of Dearefeild, by W<sup>m</sup> Clarke, by ord<sup>r</sup> from s<sup>d</sup> proprietors, the Court judgeth it meet to impower the comittee appointed by y<sup>e</sup> County Court of Hampshire to act therein, for the better regulation of y<sup>e</sup> prudential affaires there, vntill that Court take further order for another comittee, who are hereby impowred so to doe.

Comittee as to Deerefeild, &c.

\*It is ordered, that the troopers remayning in those tounes in this colony belonging to the late county of Norfolke, still be & remajne vnder the comānd of Major Robert Pyke, & that he hath liberty granted him to lyst such into his sajd troope as shall be willing to be lysted out of the other tounes in the county of Essex, being qualified according to law. It is likewise ordered, that Cap<sup>t</sup> Willjam Broune haue like y<sup>e</sup> liberty of lusting to make vp his troope in Salem to the number of 64, besides officers, & that those that doe list in the sajd Major Pikes & Cap<sup>t</sup> Brounes troopes be not such as are already listed in any other troope.

[\*319.]

Major Pjkes liberty, how to lyst troop<sup>s</sup>.  
Cap<sup>t</sup> W<sup>m</sup> Brounes liberty in like mann<sup>r</sup>.

In ans<sup>r</sup> to the petiçōn of Mr Anthony Checkley & his quæstion therein proposed, the Court declare that the petiçōner ought to beginn his action by revejw in a County Court, as is vsuall in other cases.

Ans<sup>r</sup> to Mr Antho. Checkleys petiçōn.

Concerning the exceptions made by the attorney gennerall & solicito<sup>r</sup> ag<sup>t</sup> o<sup>r</sup> lawcs.

Attorney Gen<sup>l</sup>.

1. Title Rebelljous Son, agreed to as amended by the comittee.
2. Agreed that a law be made that robe<sup>r</sup>s vpon the highway be put to death.
3. Rebelljon against y<sup>e</sup> country agreed to passe as amended.
4. About marrjage, nothing altered.
5. Touching walking in the feilds & streets on y<sup>e</sup> Saboath day, no alteration.

1681.

27 May.

6. The oath & comission for the majo's of regiments, agreed as amended.  
 7. Title Hæresy, section 9, to put to death bannished Quakers vpon the  
 retorne, repealed; other smaller alterations by the comitte, vnder the title  
 Hæresjes, were allowed of.

8. The law against keeping Christmas to be left out.

All the aboue witten was consented to & allowed of by y<sup>e</sup> Court.

Jn<sup>o</sup> Green  
 marshall gen-  
 nerall.

John Greene is chosen marshall gennerall by the whole Court, and tooke  
 his oath the same day before the Governo<sup>r</sup> & Magistrates the third of June,  
 1681.

As attest.

EDW<sup>d</sup> RAUSON, Secret<sup>r</sup>.

[\*320.]  
 12 October.

\* *All a Gennerall Court, held at Boston, 12<sup>th</sup> of October, 1681, p<sup>r</sup> Adjo<sup>r</sup>mt.*

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
 Thomas Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>.  
 Rich<sup>d</sup> Saltonstall, }  
 Daniel Gookin, }  
 Daniel Dennison, }  
 John Pynchon, }  
 W<sup>m</sup> Stoughton, }  
 Joseph Dudley, }  
 Peter Bulkley, }  
 Humphry Dauy, }  
 Nathan<sup>i</sup> Saltonstall, } Esq<sup>rs</sup>.  
 W<sup>m</sup> Broune, Se<sup>n</sup>, }  
 Thomas Sauage, }  
 John Richards, }  
 John Hull, }  
 Samuel Nowell, }  
 James Russell, }  
 Peter Tylton, }  
 Samuel Apleton, }

The freemen or dep<sup>ts</sup> at this Court as in y<sup>e</sup> deputjes reccords.

**I**N answer to the complaint of the loafe bread bakers, it is ordered by this  
 Court, that the freemen of the toune of Boston, & such other townes as

shall haue any considerable vse of the bakers trade, shall añually, or otherwise as they judge best, make choyce of three or more meete persons in their oune toune, to inquire into the midle price of wheate, how it is sold by quantitjes, & they, or the majo<sup>r</sup> part of them in such towne agreeing thereon, shall publish to all the loafe bread bakers & clarkes of the market in the toune once euery moneth, or as often as they see cause, the midle price of wheate, at which price the sajd bakers shall bake their bread for the following moneth, or vntill a new price be declared; and that when the clarkes of the market doe meete w<sup>th</sup> crustje and stale bread, they shall not take it away as forfeited, except it want one sixteenth part of the weight.

1681.

12 October.

Ques<sup>t</sup>: Whither a judgment granted by a County Court held by adjournment, where a stated Court hath intervened in the same county, though not in the same toune, be legall. The Court resolves this question on the negative.

When an obligation is put in suite wherein persons stands bound jointly añ seuerally, and judgment comes therevpon, all being named in the processe, though but one attached, whither judgment ought not, according to the forme of processe, to be entered against all and either. The Court resolves this question in the negative, for that execution ought not to go against any person not su<sup>m</sup>oned to answer.

\*When judgment is granted against a person, and he djeth before execution be taken out, whither that judgment doe not stand in force against his heires, executors, or administrators, & whosoeuer of them is answerable in law, and execution to be granted against such executors or administrato<sup>r</sup>s, &c. The Court resolves this question in the affirmative, &, to prevent inconvenience or wrong to such estates, the person against whom the execution comes shall haue liberty to revejw the same.

[\*321.]

In answer to the information & motion of Daniel Gookin, Esq<sup>r</sup>, major gennerall, the majo<sup>r</sup>s chosen for the new regiments in Suffolke, Middlesex, & Essex are desired to give their answer to this Court now sitting, to signify their acceptance of the sajd offices, that the Court may aply themselues to a speedy settlement of the militias therein.

Q.: Whither a person complajned of or indicted for any criminall or capitall offence, & refusing to put himself vpon tryall, according to the vsuall custome, shall (that notw<sup>th</sup>standing) be proceeded with to tryall & judgment vpon the euidence that shall be produced against him.

Mr Samuel Seawall, at the instance of some freinds, w<sup>th</sup> respect to the accomodation of the publicke, being prevajled with to vndertake the mannagement of the printing press in Boston, late vnder the improovement of M<sup>r</sup> John Foster, deceased, liberty is accordingly granted to him for the same by

Mr Sam. Seawall to manage y<sup>e</sup> printing presse in Boston.



1681.

12 October.

Toune marks:

S, Springfield.

NH, Northampton.

HD, Hadley.

WF, Westfeild.

HF, Hatfeild.

S, Southfeild.

this Court, and none may presume to sett vp any other presse w<sup>th</sup>out the like liberty first granted.

Seuerall of the tounes in Hampshire being w<sup>th</sup>out brand markes for theire catle, &c, this Court orders, that y<sup>e</sup> brands of the seuerall tounes there be as followeth: Springfield S, Northampton NH, Hadley HD, Westfeild WF, Hatfeild HF, Southfeild S.

This Court ordred a day of thanksgiving to be kept thro<sup>ut</sup>out this jurisdiction on the twenty fowrth day of November next; the grounds there are printed.

[\*322.]

About Boudish, Esq<sup>r</sup>.

\*Whereas it is fallen out that M<sup>r</sup> Willjam Boudish, who was employed as collector for the country at Salem, is come to a suddaine & vntimely death, and hath a considerable sume of the countrjes estate in his hands, & is judged insolvent, this Court doth request & impower the wo<sup>r</sup>pff<sup>u</sup> W<sup>m</sup> Broune & Bartholmew Gidney, Esq<sup>s</sup>, & M<sup>r</sup> Hilljard Veren to peruse his bookes, to see what may be due to the country, & to secure so much of his estate, if it may be found, as will respond the same, both to powder, mony, & imposts.

Order as to rates.

No rule to pay y<sup>e</sup> minsters.

Itt is ordered by this Court & authority thereof, that there shall be two single country rates & a halfe for this yeare, viz<sup>t</sup>, one in money, & the other in country pay, & that all sorts of corne be pajd, at these prizes ffol<sup>k</sup>, i. e., wheate at sixe shillings, rye at fower shillings sixe pence, pease, barley, & barley mault at 4<sup>s</sup>, Indian at three shillings sixe pence, oates at two shillings p bushell, all good, and well winnowed, merchantable corne; & that what else is pajd in the country rates besides money shall be pajd at money'prise, provided that no leane catle or horses be pajd in sajd rates; & that what is due to Hampshire vpon the account of disbursments, the Treasurer is heereby ordered to pay them two thirds of what is their just due, provided, also, that this be no rule to pay the minsters their sallerys.

President of Harvard Colledge allowance, &amp;c.

This Court, being informed that the corporation & ouerscers of the colledge haue proceeded to the chojce & approbation of the Reuerend M<sup>r</sup> Increase Mather for president of sajd society, & haue appointed some gent<sup>n</sup> to treat<sup>e</sup> w<sup>th</sup> the church ouer whom sajd M<sup>r</sup> Mather is teacher for their consent in the matter, in order whereto, it is propounded that this Court would please to declare their settlement of the maintenance to be allowed the præsident for the future, it is heereby ordered, that, on the considerations proposed, in the grant made to the former præsident of one hundred pounds money p annū, & fuety pounds country pay, the like allowance shall be continued for the future, provided that the Reūend M<sup>r</sup> Increase Mather be the man, & this to be continued so long as he shall supply the place of præsident of said colledge, & to be in full of his sallery from this country referring to that employment.

Mr Henry Deering is chosen ensigne to the ffoote company in Boston, vnder the comand of Captaine Pen Townesend.

1681.

It is ordered, that Thomas Eaton, eldest sarjant to the ffoote company in Hauerill, in steed of James Pecker, that hať lajd doune his place, and remooved himselfe thence.

12 October.

Mr Henry Deering en-  
signe.Thomas Eaton  
ensigne.

[ 323. ]

Ans<sup>r</sup> to Ando-  
ver petiō.

\*In ans<sup>r</sup> to the petiōn of the church & toune of Andiver, this Court judgeth it meete to order, that Daniel Dennison, Nathaniel Saltonstall, & Samuel Apleton, Esq<sup>s</sup>, with the reuerend elders of the churches of Ipsuich, Hauerill, Rouley, & Newbery, be a comittee from this Court, to meet at Andiver, at the time appointed by Major Dennison, & give notice both to the Reuerend Mr Dane & the church & toune at Andover, &, on a full hearing, to advise them as the case may require for a peaccable settlement of the matters in controuersy, & make report to this Court at the next oppertunity.

In answer to this petiōn, this Court refers the case to the County Court of Midlesex to take order therein, & give order for the sale of such land as may be necessary to answer such just debts.

Ans<sup>r</sup> to James  
Loudens peti-  
ōn.

In answer to the petiōn of Katherin Smith, of Dorchester, the Court judgeth it meete to referr the answer of this petiōn to the County Court of Suffolke, who are hereby impowered to act herein, & give order for the sale of such land as may suffice for the ends proposed.

Ans<sup>r</sup> to Kath-  
erine Smiths  
petiōn.

In ans<sup>r</sup> to the petiōn of the inhabitants of the toune of Mendon, the Court judgeth it meete to continue their late order referring to the proprietors of lands in Mendon who are not resident, nor doe improove their sajd lands, to be rated to the toune charges, as those that are p<sup>s</sup>ent vpon the place, for three yeares next after the expiration of the former time; & the comittee of this Court, for the mannagement of the affajres of that toune; continue their care & goument as formerly.

Ans<sup>r</sup> to Men-  
don petiō.

In ans<sup>r</sup> to the petiōn of M<sup>rs</sup> Margery Fljnt, the Court judgeth it meet to grant the petiōners request, & do allow & rattefy the lease mentioned.

Ans<sup>r</sup> to M<sup>rs</sup>  
Margery Flints  
petiōn.

In ans<sup>r</sup> to the petition of Mr Jn<sup>o</sup> Vsher, Edward Shippen, & James Whetcombe, on behalfe of Nathaniel Tompkins, the Court judgeth it meete to order the Tresurer to returne that part of the leather sealed which belongs to the country vnto sajd Tompkins, or the petiōners in his behalfe.

Ans<sup>r</sup> to Tomp-  
kins pet.

In ans<sup>r</sup> to the petiōn of Nathaniel Putman & Joseph Holton affixed, being in relation to the same thing, i. e., settlement of their bounds betweene them & Mr James Allin, the Court judgeth it meet to order, that Mr Edmond Batter, Leiu<sup>t</sup> W<sup>m</sup> Johnson, who were of the former comittee, together w<sup>th</sup> Capt<sup>r</sup> Fisher, Capt<sup>r</sup> Wayte, & Mr Mansfeild, now chosen, shall & are hereby empowred as a comittee, w<sup>th</sup> all convenient speede, to repajre to the place

Ans<sup>r</sup> to Natha.  
Putmans peti-  
ōn.

1681.

12 October.

[\*323<sup>a</sup>.]Ans<sup>r</sup> to Elisabeth & Sarah Russells petition.

where the ground of the controuersie is, & to endeavo<sup>r</sup> the settlement of the bounds so as to them shall seeme most just & æquall, & to make returne thereof to the next Court of Election; Cap<sup>t</sup> Fisher to appoint time of meeting, & the petiçions to be at the charge of the cōmittee.

\*In answer to the petiçon of Elisabeth Russell & Sarah Russell, widdows, the Court judgeth it meet to grant their petition, & doe heereby order & appoint Leiut<sup>nt</sup> W<sup>m</sup> Johnson & Ensigne James Connors to direct & assist in the sale of such & so much land as they shall judge meete for the ends proposed.

This Court, hauing read and considered the proposalls for y<sup>e</sup> future settlement of y<sup>e</sup> affaires of y<sup>e</sup> province, —

Proposalls as to y<sup>e</sup> Province of Majne.

1. That all publique charges henceforth arising annually w<sup>th</sup>in the province, as well for their protection as government, or otherwise, be defrajed out of the treasury of the province.

2. That Fort Loyall, a garrison necessary for the security thereof, be maintejned henceforth at the charge of the province.

3. That all those that haue taken patents or leases of S<sup>r</sup> Fardinando Gorges, or any of his agents, doe observe and make good their couenants respectively to the cheife proprietor, as their acknowledgment of his right to soyle.

4. That all others, as an acknowledgement of his right to soyle & gou<sup>rn</sup>ment, doe pay twelue pence for euery family whose single country rate is not aboue two shillings, & for all that exceed the sume of two shillings in a single rate to pay three shillings p family annually in money to the Treasurer of the provinces, for the vse of the cheife proprietors.

5. That, according to the law, title Charge, Publique, all persons, & estates, & lands which are in the provinces, whither belonging to persons resident w<sup>th</sup>in or w<sup>th</sup>out the colony, be æqually & indifferently rated therevnto, excepting only cōmons of any toun or land lying in cōmon & belonging to the cheife proprietor.

6. In consideration hereof, I doe freely consent & grant the inhabitants of this province be foreuer acquitted & discharged from all clajmes & demands due, & by charter belonging to, the cheife lord proprieto<sup>r</sup> for the time past; and for the future, that all tounships that haue binn granted by S<sup>r</sup> Fardinando Gorges, K<sup>t</sup>, or any of his agents, or the Gennerall Court of the Massachusetts, as well for their streames, saw mills, corne mills, &c, be foreuer acquitted from paying rent or any dues to the cheife proprieto<sup>r</sup> or his generall governo<sup>r</sup>, otheruise then shallbe necessary for their owne deffence.

Courts order, &amp;c, thereupon.

1. This Court, hauing read & considered the proposall (annext as aboue)

made for the settlement of the affaires of the Province of Majne, doe approve thereof; and in answer to the petition of the Genll Assembly of the province of August 18, 1681, for a more full explication of said proposalls, & further privilege to be granted, this Court doth order & hereby empower the president of said province to make legall confirmation to the inhabitants respectively of their just propriety in the lands there, vnder his hand & seale, according to the directions of their charter; and do further grant, that they, making the annuall acknowledgement of the right of the cheife proprieto<sup>r</sup> to the soyle & gouern<sup>nt</sup>, as is provided in the 3<sup>d</sup> article of the aboue said proposalls, they shall then be acquitted & discharged from any further subsidies to the cheife proprieto<sup>r</sup>, further then shall be necessary & orderly levied for their oune protection & government.

1681.

12 October.  
Courts order  
thereupon.

2. \*That in case of any defensive warr orderly comēced, they shall endeavor the ordering thereof, as may be for the safety of the inhabitants, & shall allow the whole of the revenue arising due to the cheife proprieto<sup>r</sup> towards the maintenance thereof.

[\*324.]

3. That the annuall reueneue arising by the trade w<sup>th</sup> the Indians shall be allowed towards the maintenance of Fort Loyall, the appointing the captaine, as well as of the other militia, being still reserved, as the charter appoint in y<sup>e</sup> power of y<sup>e</sup> cheife proprieto<sup>r</sup>.

Further, it is ordered, that the arrears of the captaine & garrison at Fort Loyall be forthwith passed, by the president of said province, to y<sup>e</sup> Tresurer, for payment.

Mr Jn<sup>th</sup>an Wades & Mr Epps case ordered to be heard on 19<sup>th</sup> instant, at eight of y<sup>e</sup> clocke.

In ans<sup>r</sup> to the petition of Mr Jonathan Wade, of Meadford, the Court judgeth it meet, & doe hereby order, that the petitioner make vp his complement, to the number of sixty troopers, (besides officers,) out of Cap<sup>t</sup> Prentice his troope, of those who are neerest adjacent in respect of their habitation, (officers excepted,) & orders the secretary to transcribe the order to the Major Gennerall to see it effected, the Court expecting their ready compljance herein.

Cap<sup>t</sup> Jn<sup>th</sup>.  
Wade of Mead-  
fords troope,  
Ac.

Sarjant Anthony Austin, of Southfeild, is hereby allowed & appointed leif<sup>t</sup> to the ffoote company there, & Georg Norton his ensigne; that the secretary issue out their commissions.

Military offi-  
cers in South-  
feild, comission  
issued out.

In answer to the petition of the selectmen of Dedham, itt is ordered by this Court & the authority thereof, that all Indians that belong to this jurisdiction, except prentises or couenant servants for yeares, are to live among & vnder gouernment of the Indian rulers of Naticke, Punkapauge, or

Order to regu-  
late Indians.



1681.

12 October.

Wamesit, which are places allowed by this Court & appropriated for the Indians to live in, where there is land sufficient to improve for many families more then are of them ; and if any shall refuse to comply w<sup>th</sup> this order, it is referred to the select men of every town, by warrant vnder their hand, to send such Indian or Indians to the house of correction or prison vntill he or they engage to comply w<sup>th</sup> this order.

M<sup>r</sup> Gorg Carrs  
satisfaction.

The Court judgeth it meet to order the Tresurer to pay to M<sup>r</sup> George Carr, in full of his account for ferriages, the sume of twenty fower shillings.

Ans<sup>r</sup> to Lucy  
Turners peti-  
tion to assure  
M<sup>r</sup> Hubbard  
his land.

In ans<sup>r</sup> to the petition of M<sup>rs</sup> Lucy Turner, relict, executrix of y<sup>e</sup> late John Turner, humbly desiring the favour of this Court to impower hir & hir father, Thomas Gardiner, excecuto<sup>r</sup> also, to assure a parcell of wast land at Quiniabauge, that hir husband sold to M<sup>r</sup> Jn<sup>o</sup> Hubbard, & drawne by him before his death, the Court grants hir request.

[1681.]

Springfeild  
case & Courts  
resoluc.

\*In the case of Springfeild, referring to the house & land now in the occupation of M<sup>r</sup> Pelatiah Glouer, brought hither by mutuall consent of parties for advice, the Court judgeth it meete to declare that the first settlement of the sd estate, by the vote of November 15, 1655, is & remajnes of full force, & no avoydance made thereof or to be made by any after vote of the town whatsoever ; that, notwithstanding the town of Springfeild hauing introduced & settled M<sup>r</sup> Glouer amongst them, vpon an expectation of the same to be & remaine to him & his heires for euer, the Court declares, that the said town of Springfeild ought, by an æquall assessment amongst themselves, to rayse & make payment to the said Glouer of such a sume of money, to the full value thereof, as may be an æquall compensation to him for the same.

17 October.

Boston, October 17<sup>th</sup>, 1681.

Committees re-  
turne as to  
Nipmug &  
the Indians  
claimes.

In pursuance of an order of this honno<sup>r</sup><sup>ble</sup> Court to inspect the clajmes of the remayning Indians to lands in the Nipmug country, —

In June last wee appointed a gennerall meeting of all Indian claymers to the said lands, & gaue full notice of the same to be holden at Cambridge Village, & there obtjned M<sup>r</sup> Elljots company & others to asist in interpretation & better vnderstanding of their seuerall pleas. Wee then found them willing enough to make clajme to the whole country, but litigious & doubtfull amongst themselves ; wee therefore, for that time, dismissed them to agree their seuerall clajmes amongst themselves, & then told them wee would further treat them to compromise the whole matter on the countrys behalfe.

Since which time, in September last, perceiving a better vnderstanding amongst them, wee warned seuerall of the principall claymers to attend vs into the country, & travajle the same in company with <sup>us</sup> as farr & as much as

one weeke would allow us, & find that the southerne part clajmed by Black James & company is capable of good settlement, if not too scant of meadow, though vncerteine what will fall w<sup>th</sup>in bounds if our l<sup>ne</sup> be to be quæstioned.

1681.

17 October.

The midt part aboue Sherborne & Marlborough, clajmed by the Hassa-  
namesit men now resident at Naticke, but interrupted by the clajme of seuerall  
execcuto's to John Wampas, whom wee su<sup>m</sup>oned before the Governo<sup>r</sup> &  
Magistreates in Boston soone after our returne, and find their clajme very  
vncertajne, but, if allowed, will be to <sup>\*to</sup> the ruine of the midle part of the [<sup>\*325.</sup>]  
country, of which the Indians make complaint to this Court.

The northerne part, adjoyning to Nashaway, is found the best land, most  
meadowed, & capable of settlement, which land, except a smale tract about  
Hassanamesit desired to be kept by the Natick Indians, may, wee suppose,  
vpon reasonable termes, be, so farr as respect the Indian clajme, taken into  
the countrys hands, which wee offer our advise as best to be donne, least the  
matter grow more difficult by delays. If there be any further service for vs  
in the matter, wee are

Your humble servants,

WILLIAM STOUGHTON,  
JOSEPH DUDLEY.

The Court doe approve of this returne.

Vpon the consideration of the report made to this Court of the Indian  
clajmes to lands to the westward by M<sup>r</sup> Stoughton & M<sup>r</sup> Dudley, and their  
advise that some compensation be made to the claymers for a full surrender of  
those lands to the Governo<sup>r</sup> & Company of the Massachusets, to prevent future  
troubles & pretensions that may arise, and doe order & impower the aforesajd  
gentlemen to treat w<sup>th</sup> the sajd claymers, & to agree w<sup>th</sup> them vpon the easiest  
termes that may be obtajned, which s<sup>u</sup>me may be reimbursed by such as after-  
wards shall procure grants of any of the sajd lands from this Court.

The Court al-  
lowanc, &c,  
thereof.

Refferring y<sup>e</sup>  
accomplishm<sup>t</sup>  
to the comit-  
tee.

There being a smale island in Connecticut Ryuer, at & toward the foote  
of the ffalls, below Springfield, which lately some of Windsor, in Connecticut  
colony, haue purchased of the Indians, & challenge it not only as their oune,  
but as belonging to that colony, when as it falls some miles w<sup>th</sup>in our line, as  
it was formerly runn, I thought meet to certify this honored Court thereof,  
that they may please to make some meet disposall thereof, to prevent inroach-  
ment vpon our due l<sup>ne</sup>.

18 October.

Major Pin-  
chons informa-  
tion.

Dat Octob 18, (1681.)

JN<sup>o</sup> PYNCHON.

1681.

18 October.  
Courts grant to  
Major Pyn-  
chon.

Ans<sup>r</sup> to W<sup>m</sup>  
Markhams  
petiçon.

The Court judgeth it meet to grant the island aboue mentioned to Major John Pynchon, in consideration of his pajnes formerly in runing our patent ljne.

In answer to the petition of Willjam Markham, of Hadley, the Court judgeth it meete to referr the petiçoner, as to the case mentioned in his petition, to the County Court of Hampshire, and they are impowred to act as the matter doth require.

[\*326.]

Courts judgm<sup>t</sup>  
& sentenc ag<sup>t</sup>  
Peter Goul-  
ding.

\*In ans<sup>r</sup> to the petition of Peter Goulding, this Court judgeth that the petiçoner hath no cause of complaint, and considering the great reflection & high groundless charges conteyned in his petiçon against the honnored County Court of Suffolke, & the clarke thereof, doe sentence the sajd Peter Goulding to make a publick acknowledgment of his fault to the satisfaction of the Court, or to pay the sume of twenty pounds in money fine to the Tresurer of the colony, standing comitted untill the sentence be performed.

At the petiçoners request, this sentence, as to the fine & the petiçoners acknowledgment, is respitted till the next Gennerrall Court or sessions that comes first.

Comittees re-  
turne as to M<sup>r</sup>  
Shermans pe-  
tiçon & Water  
Toune, &c, ac-  
cepted of, &c.

Wee, vnderwritten, appointed a comittee to repare to Water Toune to examine some matters in controuersy there, concerning which the Refënd M<sup>r</sup> Sherman exhibbited his petiçon to this Court, hauing heard the allegations on both sides, & perused the records of the sajd toune, doe find, that there haue binn a misvnderstanding amongst themselues of their oune acts, & that it will be difficult to determine exactly therein; which they themselues being also sencible of, sundry of the proprieto's haue voluntarily yeelded to M<sup>r</sup> Sherman, some of them a part, and some the whole of their shares in those lands that haue been in difference; and wee are not hopelesse but that others may make further addition therevnto. And the Refënd M<sup>r</sup> Sherman hath also vnder his hand, at a publick meeting, and in the presence of some of us, ffreely & fully quitted all other clayme to or right in the sajd lands, saue what he now hath or may further haue by the free grant of the proprieto's as abouesajd, leauing only that what shall be granted him maybe lajd out conueniently together, not prejudicing the remainder. These concessions on both sides wee doe approve of, being hopefull it may haue a tendency to their better accord for the future, in case this Court shall confirme this issue; in order whereto wee mooue, that a comittee of this Court, of thre or more meet persons, be appointed & impowred to compleat the agreement so well begunn, &

Vide pa. 482  
and pa. 494.

to set out to Mr Sherman his proportion in the said lands, as is above expressed. 1681.

18 October.

Signed,

JOSEPH DUDLEY,  
WILLIAM STOUGHTON,  
WILLIAM JOHNSON,  
PET: BULKELEY,  
JOHN WAYTE,  
THO: BRATTLE,  
EDWARD WINSHIP.

The Court approves of this returne, and doe desier the gentlemen of the same committee, or the major part of them, to perfect the worke according to this returne, W<sup>m</sup> Stoughton, Esq<sup>r</sup>, to appoint time and place.

\*In ans<sup>r</sup> to the petition of Cornet Jn<sup>o</sup> Seuerans, it is ordered, for a fynall issue of that matter, that the secretary issue out his warrant, directed to the constables of Salisbury, Hauerill, & Amesbury, requiring them forthwith to collect & gather out of the seüll townes their just proportions of what is due from them as their share, i. e., fower pounds & eight pence from Salisbury, from Hauerill three pounds & fueteen shillings, & from Amesbury one pound seventeen shillings & fower pence, & deliūr the same to the said John Seuerans, in full satisfaction of all his clajmes, the Tresurer of the country hauing satisfied him all that the country was to pay him. [\*327.]

Ans<sup>r</sup> to Cornet Jn<sup>o</sup> Seuerans petition.

Warrants accordingly issued out, 15 Dec., 81.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> James Olliuier, the Court judgeth it meet to grant Mr Nathaniel Barnes, for the petitioners vse, two hundred acres of land where it is to be found, not preiudiciall to any new plantation.

Ans<sup>r</sup> to Cap<sup>t</sup> Jas<sup>o</sup> Olliuier petition, 200 ac.

This Court hauing heard & considered the pleas & euidences in a case betweene John Giffard, and Richard Midlecott, & Thomas Walter, attorneys to John Wright, Esq<sup>r</sup>, & Company, which case was formerly heard @ determined at a County Court held at Ipswich 30<sup>th</sup> of March, 1680, and admitted to be heard in this Court vpon the petition of John Giffard, this Court doth confirme the said judgment of the Court at Ipswich, and order the said Giffard to pay the deffendant costs of Court, as p bill on file, & this to be a fynall issue of this case.

Mr Jn<sup>o</sup> Joylef engaged to pay y<sup>e</sup> costs, if proved by Walters day booke, E. R., S.

Courts judgment inter Jn<sup>o</sup> Giffard & Tho. Walter.

In ans<sup>r</sup> to the petition of Willjam Markham, of Hadley, it is ordered, that the petitioner be referd, in the case mentioned, to the County Court of Hampshire, and they are hereby impowred to act as the matter doth require.

Ans<sup>r</sup> to W<sup>m</sup> Markhams petition.

Courts resolute to proceed to consider of y<sup>e</sup> laws, &c.

The Court agree to proceed to the consideration of what is necessary to



1681.

18 October.

Ans<sup>r</sup> to Maj<sup>r</sup>  
Gen<sup>l</sup> Gookins  
motion, &c.

be don touching such lages as are objected against, & others of like nature, & to doe therein what shallbe incumbent on them, & most conduceable to their peace & safty.

The majors chosen for the new regiments in Suffolke, Midlesex, and Essex are desired forthwith to give their answers to this Court now sitting, to signify their acceptance of the said offices, that the Court apply themselves to a speedy settlement of the militjas therein.

Courts judg-  
ment inter  
Butler & Hol-  
lowell.

The Court, hauing heard & considered the allegations & pleas in the case between Stephen Butler & W<sup>m</sup> Hollowel, Benjā Hollowell, & Edw<sup>d</sup> Ashley, &c, doe confirme the settlement of that estate made by the County Court, & confirmed to the said Butler by the Gennerall Court, judging, vpon all considerations, the same to be most æquall and just.

[\*328.]

Comittees re-  
port on Butler  
case as to his  
disbu<sup>ment</sup>.

\*As an expedient for the more æquitable releife of Stephen Butler, in the case depending betweene him and Willjam Hollowell, it is ordered, that Captain Barter and M<sup>r</sup> Remington (& in case one or oither of them cannot be obteyned, that Thomas Gardener, of Muddy Riuer, supply such absent) be a comittee to vejw the improovement made by y<sup>e</sup> said Butler vpon the lands in controversy, & make report thereof to the Court now sitting; & was don, & is on file.

1681-2. \**Att a third Sessions of the Gennerall Court, held at Boston, 15<sup>th</sup> February, 1681.*

15 February.

[\*329.]

PRESENT, Simon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Go<sup>v</sup>,  
Richd Saltonstall,  
Danī Gookin,  
Danī Dennison,  
W<sup>m</sup> Stoughton,  
Joseph Dudley,  
Peter Bulkley,  
Humphrey Davy,  
Nathā Saltonstall,  
Jn<sup>o</sup> Richards,  
Jn<sup>o</sup> Hull,  
Safī Nowell,  
James Russell,  
Barthō Gidney,  
Safī Apleton.

AT the opening of this Court, his majestjes letter to the Goſino<sup>r</sup> & Company, brought by M<sup>r</sup> Edward Randolph, bearing date 21<sup>th</sup> of October, 1681, was read in open Court, the whole Court mett together. 1681-2.  
15 February.

Also, the next day, was, before the whole Court, read his majestjes comiſſion or patent, vnder the broad ſeale of England, bearing date 1, for constituting Edward Randolph, Esq<sup>r</sup>, collector, &c. 16 February.  
A true copie,  
compared.

Also, his maj<sup>tjes</sup> comiſſion or patent to W<sup>m</sup> Blathwayt, Esq<sup>r</sup>, bearing date the 1, for constituting him to be audo<sup>r</sup> & surveyo<sup>r</sup> generall, &c. A true copy.

As also M<sup>r</sup> Blathways deputation to M<sup>r</sup> Randolph; all which are on file. A true copy,  
comp<sup>d</sup>.

To the Kings most excellent Majesty.

The most humble address of yo<sup>r</sup> maj<sup>ties</sup> loyall subjects, the Goſino<sup>r</sup> & Company of the Massachusetts Bay in New England.

May it please your majestje: —

Such and so many are the blessings that your poore subjects of this col-  
onje haue and doe enjoy through the favour of your maj<sup>tjes</sup> royall father, of  
happy memory, @ your oune propitious incljnation towards vs euer since yo<sup>r</sup>  
maj<sup>tjes</sup> happy restoration, that wee cannot easily represent or expresse our  
gratitude to Almighty God nor our obligations to your majestje for the same;  
by the sence whereof wee are the more deeply mooued and concerned least  
any administrations in this your majestjes government, by ourselues or our  
prædecessors, or any misrepresentations vnto your majestje, should procure  
the least alteration in your majestjes royall heart or countenance towards vs.

Wee therefore humbly pray that wee may lay before yo<sup>r</sup> majestjes con-  
sideration, that the great disadvantages of setling a wilderness, the late  
vnhappy troubles in your majestjes kingdomes, our less skilfullnes in manna-  
ging such affajres may haue occasioned some irregular establishment of law  
amongst us, which we humbly pray your maj<sup>tje</sup> to allow us to say, was through  
want of due consideration @ inadvertency, & is in nowise out of pride or con-  
tradiction to the due lymitts assigned us, and for which, neuertheless, wee  
haue, @ alwayes doe, humbly prostrate ourselues at yo<sup>r</sup> maj<sup>tjes</sup> ffeete, and craue  
your royall pardon, @ all which, vpon signification from your maj<sup>tje</sup> by our late  
messengers, we haue industriously laboured \*to correct @ amend, @ shall for  
the future hold ourselues strictly obliged to the rules presented us in our charter. [\*330.]

Wee haue also, in obedience to your maj<sup>tjes</sup> comānds in seuerall letters,  
@ and particularly your gracious letter of October 21<sup>st</sup>, 1681, dispatched  
our worthy ffreinds Joseph Dudley & John Richards, our messengers, humbly  
to give your maj<sup>tje</sup> account of what wee haue donne for the regulation of our  
lawes, pursuant to the objections of M<sup>r</sup> Attorney Gennerall @ M<sup>r</sup> Sollicito<sup>r</sup>

1681-2.

16 February.

Genn<sup>l</sup>, according to the intimations comitted to our messengers when attending your royall Court. Who are also further instructed to give your majesty account of @ satisfaction in the seuerall particulars in the abouesajd letters, @ other of your maj<sup>ties</sup> letters conteyned, and to attend the signification of your majestys further pleasure therein, w<sup>ch</sup> wee confidently trust, as always heretofore, willbe for the advancement of your majestjes croune @ dignity, @ the encouragement @ peace of your maj<sup>ties</sup> leige people here.

They haue also humbly to offer the address of some of our inhabitants whose dwellings are w<sup>th</sup>in the compasse of M<sup>r</sup> Masons new pretended claimes, to whom wee gave such signification of your royall pleasure as in yo<sup>r</sup> maj<sup>ties</sup> letters wee are comanded.

But as his claime doth appeare to them to be very vnreasonable, so also illimited @ vncertaine, wee therefore humbly pray your maj<sup>ties</sup> favour on behalf of saj<sup>d</sup> people against the pretenses of saj<sup>d</sup> Mason, for their security in the peaceable enjoyment of their houses @ lands, of which they haue had vninterrupted possession for more then fifty yeares. And that they may not be compelled to make answer further then in yo<sup>r</sup> maj<sup>ties</sup> Courts of justice vpon the place, wee haue also humbly to offer, that the purchase of the Prouince of Majne was made by us not out of any disloyall incljnation or intention to infringe your maj<sup>ties</sup> royall prerogative, or to prevent your majestjes taking the same into your owne hands, but vpon reall desire to accomodate your maj<sup>ties</sup> subjects the inhabitants of that province, and our oune mutual peace or safety, @ w<sup>th</sup> good aduice first had that wee might so doe; wherefore, humbly praying your maj<sup>ties</sup> consideration of our great charges therein, and gracious construction of that our procedure, and of royall favor in the discharge of our present attendance, w<sup>th</sup> yo<sup>r</sup> gracious countenance vpon yo<sup>r</sup> maj<sup>ties</sup> poore subjects here, we are, w<sup>th</sup> all humble submission,

Your majestjes most obedient subjects & humble supplicants, who shall cuer remayne to pray, &c,

SYMON BRADSTREETE, Goũno<sup>r</sup>, in the name ^

[\*331.]

\*To the Kings most excellent Majesty.

The humble petition & addresse of the inhabitants of Glocester, alias Cape Ann, and other places adjacent, w<sup>th</sup>in the jurisdiction of the Massachusetts Bay in New England.

Most gracious & dread Soueraigne: —

Tis now aboute 50 yeares since S<sup>r</sup> Henry Rosewell, w<sup>th</sup> seuerall others, the subjects of your maj<sup>ties</sup> realme of England, purchased of the council established at Plymouth, in the county of Devon, (as in the charter,) a

certain tract of land lying & being as in the charter; said tract of land was 1681-2.  
 in the next year againe granted & confirmed by your maj<sup>ties</sup> royall father, of  
 happy memory, by letters patent, bearing date, at Westminster, March the  
 4<sup>th</sup>, in the 4<sup>th</sup> yeare of his reigne, to the s<sup>d</sup> Sr Henry Roswell and Company,  
 w<sup>th</sup> other their associates, w<sup>ch</sup> grantees were then also, w<sup>th</sup> such others as  
 should be admitted, & made ffree of the company, & their successors, incorpo-  
 rated by the name of the Governo<sup>r</sup> & Company of the Massachusetts Bay in  
 New England. Vpon the encouragement given in those letters patents, & the  
 government thereby established, many of the subjects of your majesties realme  
 of England did transport themselues, their familjes, & estates, & purchase &  
 settle many townes & villages, to the great increase of yo<sup>r</sup> majestjes ho<sup>no</sup>r &  
 dominions in these parts of Amerrica.

16 February.

And, amongst others, wee, (& our predecessors,) yo<sup>r</sup> maj<sup>ties</sup> most loyall &  
 obedient subjects, (those cheifely, if not soley, concerned in the late clajmes  
 made by M<sup>r</sup> Robert Mason of land w<sup>th</sup>in this yo<sup>r</sup> majestjes grant,) hauing  
 obteyned a grant from your maj<sup>ties</sup> Gou<sup>no</sup>r & Company, and also purchased  
 the right of the natives, (the annient & vndoubted proprietors,) did plant &  
 setle vpon a place which is (w<sup>th</sup>out controuersy in that respect depending)  
 w<sup>th</sup>in the limits aforesajd, called Glocester, alias Cape Anne, & places adjacent,  
 where wee haue, w<sup>th</sup> greate toyle & charge, binn subduing the wildernes, haue  
 bought & sold the lands, (which haue some of them passed through seuerall  
 hands,) our title neuer being defamed or our selues molested by any person  
 w<sup>soeuer</sup> for aboue these flueti yeares; being by so long an vninterrupted  
 possession, further confirmed in our rights, agreeable to the lawes of this yo<sup>r</sup>  
 maj<sup>ties</sup> gove<sup>r</sup>nm<sup>t</sup>, made in the yeare 1657, for the setling of inh<sup>er</sup>itances, w<sup>ch</sup>  
 was not \*designed against said M<sup>r</sup> Robert Mason, of whome & whose claime  
 wee were then wholly ignorant. [\*332.]

In this posture wee continued, till wee were surprized vpon the receiving  
 an order from the Gennerall Court of this your maj<sup>sties</sup> government, which  
 was in obedience to yo<sup>r</sup> maj<sup>ties</sup> co<sup>m</sup>mands contejned in your gracious letter of  
 the 30<sup>th</sup> of September, 1680, requiring vs to furnish our agents w<sup>th</sup> the pleas  
 & euidences of our right & propriety in the lands wee now possesse in these  
 parts, which in the premisses wee most humbly offer to yo<sup>r</sup> maj<sup>ties</sup> gracious  
 princely consideration. To w<sup>ch</sup> wee further humbly add, & lay before your  
 maj<sup>tie</sup>, that as our title stands vpon so good a foundation as the grant of yo<sup>r</sup>  
 majestjes Gennerall Court here, & purchase from the natives, strengthened by  
 y<sup>e</sup> lawes of possession, so M<sup>r</sup> Robert Mason hath only to plead a dormant, if  
 not pretended title, by virtue of a grant from the council of Pljmouth, in the  
 19<sup>th</sup> yeare of the reigne of yo<sup>r</sup> royall grandfather, of happy memory, w<sup>ch</sup> said  
 grant is vtterly vncerteine in its ljm<sup>it</sup>ts & bounds, was neuer acted vpon, no

Address to his  
 maj<sup>ty</sup> from y<sup>e</sup>  
 inhabitants of  
 Cape Ann &  
 places adja-  
 cent.



1684-2, possession given, nor any survey made thereof, according as in the said grant is specified & required, whereby one of the great ends & designs of the charter granted to the council of Plymouth, w<sup>ch</sup> was for the planting & subdividing of the land in these parts, is evacuated. Upon all which considerations, & particularly that of the nonuses, wee humbly suppose that Mr Masons grant (if any) is forfeited, & his title voyd in law.

Wherefore, wee humbly implore your maj<sup>ties</sup> favour, & that yo<sup>r</sup> maj<sup>ty</sup> will graciously please to interpose yo<sup>r</sup> royall authority w<sup>th</sup> Mr Mason, that he may cease to molest & disturbe vs in our lawfull rights, or that yo<sup>r</sup> maj<sup>ty</sup> will direct the said Mr Mason to make his claime in yo<sup>r</sup> maj<sup>ties</sup> Courts of justice here established, according to the judgment (in that case) of the lords cheife justices, approved by the right honourable the lords of the Committee for Trade & Forreigne Plantations, and confirmed by yo<sup>r</sup> sacred *sacred* maj<sup>ty</sup> in council, on the 30<sup>th</sup> day of July, 1677, while the former agents of y<sup>e</sup> your maj<sup>ties</sup> colony were attending your royall pleasure in the affaires then vnder consideration. & your humble supplyants shall ever pray, &c.

Signed & subscribed by

JN <sup>o</sup> PICKARD,	DANIEL PEARCE,
JN <sup>o</sup> PERKINS,	SAMUEL CORNING,
DANE EPPS,	GEORGE RAYMENT,
JONATHAN WADE, Sea,	WILLIAM DODGE,
WILLIAM GOODHUE,	NICHOL NOYCE,
SAMUEL ROGERS,	RICHARD DUMER,
SAMON SEACIE,	SAMUEL PLATTS,
THO: KNOTTON,	JN <sup>o</sup> WHIPLE,
CALEB MOODY,	JAMES STEEPHENS,
THO: FISKE,	WILLIAM SERJANT,
PHILLIP NELSON,	WILLIAM HASKALL,
THO: BURNAM,	THOMAS MILLET,
ELI: NORTON,	JOHN HILL,
DANE WARNER,	THOMAS RIGGS,
TRISTRAM COFFEY,	SAMUEL APLETON,
JOSEPH PIKE,	THO: CORBET, Sea,
JN <sup>o</sup> PLUMER,	JN <sup>o</sup> WOODBRIDGE,
THO: FISKE,	WILLIAM HUBBARD,
THO: PATCH,	JOHN ROGERS,
WILLIAM COISWELL,	JN <sup>o</sup> HALE,
WALTER FAIRFELD,	JN <sup>o</sup> APLETON,
MOSES PENGREY, Sea,	HENRY WALKER,
HENRY SEWALL,	

\*For the satisfaction of his maj<sup>ties</sup>, @ the better regulating of the navigation and trade of this jurisdiction, and in pursuance of a lawe made October 10<sup>th</sup>, 1677, referring therevnto, —

1681-2.

16 February.

[\*333.]

It is ordered & enacted by this Court @ the authority thereof, that the act of Parl<sup>ment</sup> made in the 12<sup>th</sup> yeare of his maj<sup>ties</sup> reign, intituled An Act for encourageing and increasing of Shipping @ Navigation ; and the act made in the fueteenth yeare of his maj<sup>ties</sup> reigne, intituled An Act for the Encouragement of Trade, be forthuith published in the market place in Boston by beate of drum, and that all clauses in sajd acts relating to this plantation be strictly taken notice of @ observed as sajd acts requier.

It is further ordered by the authority aforesajd, that a navall office be Navall office. forthwith erected @ settled in the toune of Boston for the entring of ships @ other vessells outward @ inward bound, for *for* the taking of bonds, receiving and granting certificates for their cleering, according as in sajd acts is directed. And all co<sup>m</sup>anders @ masters of shippes and other vessells are required to take notice hercof, and to make their entrijes to give bonds, & receive @ produce certificates for their cleering, according as in sajd acts of Parl<sup>aments</sup> exprest.

Provided such vessells as passe to and fro w<sup>th</sup>in our harbours or ryvers shall not be obleidged to enter @ give bond as abouesajd ; nor such vessells as passe from port to port on the majne sea on the coast of New England, vnless they take in for their oune store and trade, in some of his maj<sup>ties</sup> colonjes in New England, more then one tunne of each of the co<sup>m</sup>oditjes enumerated in sajd acts ; and for the due execution of sajd office, it is ordered, that James Russell, Esq<sup>r</sup>, who was chosen by this Court January 11<sup>th</sup>, 1680, be the officer who shall haue co<sup>m</sup>ission vnder the hand of the Governo<sup>r</sup> or secretary and seale of the colony, & be sworne by sajd Governo<sup>r</sup> to the faithfull discharge of the same, which officer so authorized shall kepe foure bookes of all entrijes, certificates, & bonds, which shall alwayes be l<sup>j</sup>able to the vejw \*of any officer or other person that may informe of the breach of sajd acts or other lawes in pursuance thereof, or refferring to the *to the* trade of this jurisdiction ; and for the greater ease of the toune of Salem & adjacent ports, Benjamin Gerrish is appointed the officer in the toune of Salem, who shall in like manner be sworne, @ shall make entrijes, take bonds, and receive and grant certificates as the said officer in Boston, who shall in like manner from time to time, once in sixe moneths, deliuer faire coppies of all bonds to the Go<sup>v</sup>no<sup>r</sup>, and shall receive for his service, referring to the premisses, such ffees as by the lawe are allowed to recorders and clarkes of County County Courts.

[\*334.]

And for the Governo<sup>r</sup>s signing a certificate for their clearing, the ffee shallbe two shillings.

1681-2.

16 February.  
Officers to be  
added, &c.

It is further ordered by the authority aforesajd, that if any person shall desire @ obteyne a speciall Court for the tryall of any case refferring to the premisses, he shall give in vsuall caution to respond all costs, before warrants be issued forth to assemble sajd Court & jury; and if any person be damnified by false information, wrongfull searching, or seizing any goods, ships, or other vessell, he may recouer the same by an action of the case in any Court or Courts of judicature, according to the vsuall course of lawe. And for the encouragement of his maj<sup>ties</sup> officer or officers, and all informers, shall from time to time bey ayded and assisted by all marshalls, constables, or other officers, by warrant from the Gouverno<sup>r</sup>, Dep<sup>ty</sup> Gou<sup>r</sup>no<sup>r</sup>, or any magistrate, in the prosecution of the breaches of sajd acts of trade & navigation.

Secret order to  
signe y<sup>e</sup> commiss-  
sions & cause  
y<sup>e</sup> order to be  
published.

And the secretary is ordered to signe all the commissions for said office, and cause the Courts order to be published, w<sup>th</sup> the acts of trade, as is before provided.

W<sup>ch</sup> was pr-  
formd by beat  
of drumme, 23  
M<sup>ch</sup>, 82.

Naval officers  
oath.

Whereas yow, J. R., are chosen navall officer for the seuerall ports of the Massachusetts colonje, and haue received a commissi<sup>on</sup> from the Gou<sup>r</sup>no<sup>r</sup> & Company of the sajd colonje for the execution of that office, yow doe sweare by the great name of the euer lving God, that yow will carefully and duely attend the execution of the sajd office according to the tenno<sup>r</sup> & true intent of yo<sup>r</sup> commissi<sup>on</sup>, & the lawes of this jurisdiction. So helpe yow God.

[\*335.]

\*The Gou<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Colony in New England.

17 March.

To J. R., navall officer.

Commissi<sup>on</sup> for  
the naval offi-  
cer.

Whereas yow are chosen @ appointed navall officer for the service of his maj<sup>tye</sup>, in the seuerall ports of the Massachusetts colonje during the pleasure of the Gouverno<sup>r</sup> @ Company. These are in his maj<sup>ties</sup> name, to authorize and require yow diligently @ faithfully to attend that service, by taking entries of all ships @ other vessells outward @ inward bound, by taking bonds, & receiving @ granting cirtificates for their clearing, keeping faire bookes of all entries, cirtificates, @ bonds, once in sixe moneths, returning foure copies of all such bonds vnto the Gouverno<sup>r</sup> for the time being, according to the lawes of this jurisdiction, made in pursuance of the acts of Parljam<sup>ent</sup> for the incouragement & increase of trade & navigation; and to observe all such orders @ instructions as yow shall from time to time receive from the Gouverno<sup>r</sup> & Company relating to the execution of the sajd office. In testimony whereof, the seale of this colony is herevnto affixed. Dated in Boston, March 17<sup>th</sup>, in the 33<sup>d</sup> yeare of the reigne of our soueraigne lord, Charles the Second, by the grace of God, of England, Scotland, France, & Ireland, king, &c, in the yeare of our Lord 168<sup>1</sup>/<sub>2</sub>.

Itt is ordered by this Court and the authority thereof, that the 12<sup>th</sup> section of the capitall lawes, title Conspiracy, Rebelljon, and the 18<sup>th</sup> section of sajd lawes, title Rebelljous Son, be and are heereby repealed; also, the law referring to Christmass, page 57, 58, & the word ‘coṃonwealth,’ where it imports jurisdicōn, is heereby repealed, and the word ‘jurisdiction’ is hereby inserted. 1681-2.

17 March.

If any man conspire and attempt any invasion, insurrection, or publike rebelljon against the kings majesty, his government heere established, or shall endeavour to surprize any toune or townes, fort or forts, therein, or shall treacherously & perfidiously attempt the alteration & subuersion of our frame of polity or government fundamentally, he shall be put to death.

Conspiracy, &c.,  
ag<sup>t</sup> the gov<sup>ment</sup>  
punishable by  
death.

\*It is ordered by this Court and the authority thereof, that henceforth the new brasse weights that are lately come from England, @ haue bin sealed at the Exchequer in Westminster, as appeares by a writing testimoniall vnder the hand of M<sup>r</sup> J<sup>n</sup> Low @ M<sup>r</sup> Nicholas Stuart, principall officers there, and seale of the sajd office, are just and true averdupojce-weights, such as are vsed in London, diuers of which are fell fashioned, viz<sup>t</sup>, one fluety sixe pound, one twenty eight, one fowerteen, one seven, one fower, one two, @ one one pound, the rest are flatts weights, and are one halfe pound, one quarter, one eighth part, and one  $\frac{1}{8}$  or ounce, as also one halfe ounce, one quarter of an ounce, one eighth, @ one sixteenth part of an ounce, shallbe the standards for this colony of Massachusetts, by which all other weights are to be sized, and that the country Treasurer issue forth his warrants forthwith to the constables of euery toune in this colony to provide, at their townes charge, all *all* the aboue-sajd weights of brasse or lead by the tenth of May next, which are to be brought in to the sajd Treasurer, or whom he shall appoint, to be sized and sealed by the aforesajd weights; and henceforth it shall not be lawfull for any person to buy or sell by any other weights or stylljards but such as are sealed by or made agreeable w<sup>th</sup> the aforesajd standards; and the pœnalty of such as neglect or act contrary to this order shall be the same, and disposed of according to the order *order* of this Court made in May, 1680, title Measures. [\*336.]

Courts order  
as to brasse  
weights.

Our honnord present Deputy Goṃno<sup>r</sup>, M<sup>r</sup> Stoughton, M<sup>r</sup> Bulkley, and M<sup>r</sup> Nowell, together with Cap<sup>t</sup> Fisher, M<sup>r</sup> Stoddard, M<sup>r</sup> Cooke, Cap<sup>t</sup> Bratle, Cap<sup>t</sup> Hutchinson, @ Cap<sup>t</sup> Wayt, or majo<sup>r</sup> part of them, are appointed a coṃittee to take out the papers in the secretarys hands, or in the hands of any others, which are necessary to be sent for England by our agents, @ to see them transcribed, @ to doe therein as in their wisdome they shall see meete for the end proposed.

Coṃittee to  
peruse & pre-  
pare necessary  
writtings for  
our agents.

For the further encouragement & supply of our agents in their voyage

Coṃittee to  
correspond w<sup>th</sup>  
& prvide for our  
agents.



1681-2. and negotiation, this Court doth desire & appoint the Goſno<sup>r</sup>, Deputy Gov-  
 erno<sup>r</sup>, M<sup>r</sup> Staughton, M<sup>r</sup> Davy, & M<sup>r</sup> Hulle, Cap<sup>t</sup> Fisher, Cap<sup>t</sup> Hutchinson,  
 M<sup>r</sup> Cooke, Cap<sup>t</sup> Wayte, and Leif<sup>n</sup>\*Johnson to be a co<sup>m</sup>ittee to correspond  
 with our agents in England, and vnderstanding from them their occasions for  
 money for their necessary supply, as the co<sup>m</sup>ittee, or major part of them,  
 judge meet, for the good of the country, to take care for the agents supply  
 accordingly, and the Treasurer is heereby ordered to pay what by them shall  
 be chardged on him ; and this Court doe engage to make provission for pay-  
 ment of what shall be so taken vp @ provided.

Mr Wade & M<sup>r</sup>  
 Epps to call y<sup>e</sup>  
 inhabitants of  
 Cape Ann &  
 places adjacent  
 together, &c.

It is ordered by this Court, that M<sup>r</sup> Jonathan Wade & M<sup>r</sup> Daniel Epps,  
 both of Ipswich, doe take speedy care that the addresse framed to his maj<sup>ty</sup> in  
 the name & on the behalfe of the inhabitants & proprietors of Cape Ann, and  
 places adjacent, be imparted vnto the sajd inhabitants by calling them together  
 and taking the subscriptions therevnto of such & so many as may be con-  
 venient to signify their gennerall consent to the sajd addresse, w<sup>ch</sup> being donn,  
 the abouesajd gent<sup>n</sup> are desired & ordered to remitt the sajd address to the  
 Goſno<sup>r</sup> & council, to be co<sup>m</sup>itted to our messengers for England.

Courts order as  
 to M<sup>r</sup> Allen &  
 M<sup>r</sup> Endicots  
 bou<sup>s</sup>, a hear-  
 ing.

This Court vnderstanding that the returne of the co<sup>m</sup>ittee appointed by  
 this Court for the settlement of the bounds betweene M<sup>r</sup> James Allen & M<sup>r</sup>  
 Endicots farmes at Salem, & that it is not sattisfactory to the sajd M<sup>r</sup> Endicot,  
 & he hauing made a motion to this Court to haue another oppertunity to make  
 knoue his greivance before the returne of the co<sup>m</sup>ittee be confirmed, the  
 Court judgeth it meet to appoint & order a hearing of the case on the first  
 Tuesday after the next election, at nine of the clock in the morning, & in the  
 meane time that there be no strip nor wast made on the premisses, & that  
 su<sup>m</sup>ons from this Court issue out for all partjes concerned to appeare at y<sup>t</sup>  
 time & attend the issue.

Courts order in  
 Butlers case,  
 &c.

In answer to the peti<sup>c</sup>on of Stephen Butler, for a rehearing of the case  
 betweene him & the children of Willjam Holloway, this Court declares it is  
 their aduise to the sajd partjes that the children of Willjam Holloway doe pay  
 vnto the sajd Butler two hundred pounds in New England money w<sup>th</sup>in three  
 moneths, & forgive him all Court charges at the last Court of Assistants, &  
 this being donn Holloways children shall injoy all the howses & lands where-  
 of Benjamin Ward died seized, & they pass mutuall acquittances each to other  
 touching the estate ; and if the sd persons shall refuse to comply w<sup>th</sup> this pro-  
 posall, then this Court doe grant the sajd Stephen Butler a hearing of that  
 case, sub forma pauperis, at y<sup>e</sup> next Court of Election, on y<sup>e</sup> first Tuesday  
 after the next election day, at nine of the clock in the forenoone, for a finall  
 issue of this troublesome case, and the execution is suspended in the interim.

\*It is ordered, that the Tresurer issue out his warrants to the seuerall townes for the raying of halfe a country rate, to be pajd in money, at or before the next Court of Election, for the accomodation of our agents sent by this Court to attend & wayte on his majesty on our behalves, and in the meane time, that our agents be not at p<sup>s</sup>ent vnfurnished.

In ans<sup>r</sup> to the motion of the officers of the late Cap<sup>t</sup> Thomas Savage his company, Ephraim Sauage, his son, is appointed & ordered by this Court to be capitaine of sajd company, & Bartholmew Cheevers to be his leiften<sup>nt</sup>.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of Ralph Houghton, in behalfe of the inhabitants of Lancaster, the Court judgeth it meet to grant them exemption from country rates for this yeare and the next.

Within these lynes is conteyned the thousand acres of land granted by the honored Gennerall Court to the sixe youngest children of the late Major Symon Willard, deceased, as the same is represented in the humble addresse of M<sup>rs</sup> Mary Noyes, being lajd out & measured by John Heynes, surveyo<sup>r</sup>, & is about tenn or twelue miles beyond Wachuset, & lying southward from that hill by the new roade lately marked to Hadley, where the sajd John Heynes hath rvnn a l<sup>j</sup>ne through some part of the sajd road, begining at a red oake tree on the westward side of a peece of meadow; rvning from thence, by a north & by west point, two miles, wanting but fower poles or rodds; there ending that l<sup>j</sup>ne by a swampe, at a great hemlock tree which he hath marked; and from thence hath rvnn the l<sup>j</sup>ne, vpon an east & by north point, one mile, which endeth at a great red oake by the side of a smale shrubby meadow; & from thence hath rvnn the l<sup>j</sup>ne, vpon a south & by east point, two miles, wanting but fower rodds, & there endeth at a black oake, neere a swampe, & not farr from the forenamed road that leadeth towards Hadley; & so from thence hath runn the l<sup>j</sup>ne to the place where he first begann, being one mile. The whole, thus measured and bounded, conteyneth a thousand acres, according to the platt herew<sup>th</sup>all presented & signed as aboue.

The Court approoves of this returne of one thousand acres as aboue.

Cap<sup>t</sup> Jn<sup>o</sup> Richards, Cap<sup>t</sup> Jn<sup>o</sup> Hull, Cap<sup>t</sup> Th<sup>o</sup> Brattle, Cap<sup>t</sup> Elisha Hutchinson, & M<sup>r</sup> Elisha Cooke are appointed a com<sup>i</sup>tee to examine and receive the Tresurers accompts, and make their returne at the next sessions of this Court.

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[\*338.]

Halfe a country rate to be raysted to furnish our agents.

Ephraim Sauage cap<sup>t</sup>, & Bartho. Cheevers leif<sup>t</sup>.

Lancaster exemption from country rates.

Y<sup>e</sup> younger children of y<sup>e</sup> late Major Willards 1000 acres land lajd out.Com<sup>i</sup>tee to take the Tresurers accounts.Boston, Feb<sup>r</sup> 18, 1681.

[\*339.]

\*In pursuance of the last order of this Court for the purchase of the Nipmug country, the subscribers haue had seuerall treatjes w<sup>th</sup> the Indians, and at length haue concluded, —

Com<sup>i</sup>tees returne as to Nipmug country.

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1. That the Hassanemesit and Natick Indians shall haue added to the said plantations of Natick & Hassanemēt, already granted & reserved by this Court for their oune improouement, all that remayning wast lands lying betweene those two plantations @ adjoyning to Meadfeild, Sherborn, Mendon, Marlborow, @ Sudbury, being wast @ of very inconsiderable value. The remainder of their clajme, lying fower miles northward of the present Springfield road, @ southward to that, haue agreed betweene Blacke James @ them, of which wee aduised in our late returne, wee haue purchased at thirty pounds money @ a coate.

2. The southern halfe of said countrey wee haue purchased of Blacke James @ company for twenty pounds, prouided they may, by the grant @ allowance of this Court, reserve to themselues a certeine tract of five miles square for themselues, or contents, in two parcells, to be at their oune dispose, to them, their heires @ assigns, foreuer, as is expressed in there deed. The whole tract in both deeds conteyned is in a forme of a trjangle, @ reduced to a square, conteyneth a tract about fifty miles long @ twenty miles wide. Besides the fluety pounds aboue, smale quantitjes, about fwe pounds, wee haue distributed amongst them, and payt them tenn pounds money of the price.

3. Wee haue thought best to take the deeds in our oune name, which wee now exhibbit, and are ready to passe our assignement & conveyance to the Goſino<sup>r</sup> & Company, at the Courts direction, in pursuance of whose service wee haue donn the same.

4. Wee haue promised them, that, in convenient tyme, their complaint against seuerall tounes & farmers who haue not purchased the title to that they hold shallbe heard, & justice donn them.

5. The northern part, towards Wachuset, is yet vnurchased, & persons yet scarsly to be found meet to be treated w<sup>th</sup> thereabouts. The two last articles may be further pursued if this Court judg meet.

WILLJAM STOUGHTON,

JOSEPH DUDLEY.

[\*340.]

Courts appro-  
bation thereof.

\*This Court, hauing perused this returne, made by W<sup>m</sup> Stoughton & Joseph Dudley, Esq<sup>rs</sup>, relating to their transaction w<sup>th</sup> the Indians, & purchase made of the Nepmug lands, doe approve thereof, and order, that full & ample deeds & conveyances in due forme be forthwith made by the said gent<sup>n</sup> vnto the Goſino<sup>r</sup> & Company of the Massachusetts, &c, and that the Tresurer of the country doe reimburse what is by them expended already, and make such other payments as are by them engaged on this account; and likewise



doe allow of, and doe hereby confirme to the sajd Indians, that tract of land mentioned to be reserved by the sajd Indians. 1681-2.

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Also, the aboue named gen<sup>tn</sup> are impowred, & heereby are desired, to doe what is yet necessary pursuant to the prosecution of the fowerth & fifth articles, & to make returne of what they shall doe therein to the next Generall Court.

And as an acknowledgment of the great care & paines of the abouesajd W<sup>m</sup> Stoughton & Joseph Dudley, Esq<sup>s</sup>, this Court doe give & grant to each of them a farme of one thousand acres of land in any part of sajd tract of land now purchased, where they shall see meet, so it be lajd out together as may be no prejudice to any plantation or touneship that may be hereafter there settled, they first finishing what remajnes necessary to be donn for the compleating this affaire.

Courts grant of 2 M. acres of land, &c, to y<sup>e</sup> gent<sup>a</sup>.

In ans<sup>r</sup> to the petiçōn of M<sup>r</sup> Hezekiah Vsher, in behalfe of himself & comp<sup>ā</sup>, it is ordered, that the Tresurer make vp what he hath already paid s<sup>d</sup> M<sup>r</sup> Hezekiah Vsher, to be one hundred fuetty two pounds three shillings fower pence money, being the ballance of his account given in to this Court.

Ans<sup>r</sup> to M<sup>r</sup> Hezekiah Vsher petiçōn, his ballance 152<sup>li</sup> 3<sup>s</sup> 4.

In ans<sup>r</sup> to the motion & request of Martha Fitch, for the allowance & confirmation of hir deed of sale made to her son in law, Jn<sup>o</sup> Holland, this Court doeth referr the examination of y<sup>e</sup> matter to the County Court for Suffolke, who are herein impowred to rattify & confirme the same, as to them shall appeare just & æquall.

Ans<sup>r</sup> to Martha Fitch motion.

In ans<sup>r</sup> to the petition of Abraham Cole @ Elj Giles, late constables of Salem, humbly desiring the favour of this Court to grant them some recompenc, &c, for their great losse in collecting of their rates therein mentioned, the Court judgeth it meete to grant them forty pounds in country pay.

Ans<sup>r</sup> to Abra. Cole & Ely Giles petiçō.

In ans<sup>r</sup> to the motion of the select men of Bradford, Shuball Walker, &c, it is ordered, that the Tresurer allow & deduct out of their rates sixe pounds six shillings in siluer, & forty nine shillings & seven pence, w<sup>ch</sup> the late M<sup>r</sup> Samuel Worcester gathered, &c.

Bradford as to rates.

\*In pursuance of an order of y<sup>e</sup> last Genn<sup>l</sup> Court, wee, their comitte, repaired to Andover the 15<sup>th</sup> of November, where hauing convened the people of the church & toun, together w<sup>th</sup> M<sup>r</sup> Dane, their pastor, wee heard their seuerall pleas, p<sup>t</sup>ensions, & allegations as to the matter of their differences, the sum whereof was, that M<sup>r</sup> Dane, about March last, gaue them notice that he could no longer performe the worke of his calling in carrying on the publick worship of God, & therefore that they, i. e., the people, must take care to provide for themselues, & accordingly the sajd M<sup>r</sup> Dane desisted

[\*341.]

Co<sup>m</sup>ittees returne as Andivor, &c.



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from that worke, though importuned by the people to be helpfull to them therein in the easiest way, which yet for the most part he hath decljned, alleadging bodily infirmity did disenable him, so that the people were necessitated, & did procure, w<sup>th</sup> great charge, (as they say,) other help for some tyme, but for the most part were destitute, saue only that M<sup>r</sup> Dane hath prajed with them in publick, & given them 3 or 4 sermons; wherevpon they haue invjted & procured a young man for this winter to be helpfull to them in carrying on the worship of God, and complaine that they are not able to beare the charge of allowing M<sup>r</sup> Dane his wonted maintenance, (which was not large,) and providing for other help, which they are engaged for; alleadging further, that M<sup>r</sup> Dane, his family being smale, & his accomodation of land very good & conuenient, may comfortably subsist without being burdensome to them.

Vpon the consideration of the whole matter, & that M<sup>r</sup> Dane hath for a long time binn an officer amongst them, wee doe aduise the inhabitants of Andiver freely to allow to M<sup>r</sup> Dane thirty pounds p annū, in their accustomed specie of payment, hoping it may accomodate M<sup>r</sup> Dane, & if his necessity should require a fuller supply, that the people will not be wanting to testify their respects to him vpon that account.

2<sup>ly</sup>. Wee doe advise & exhort M<sup>r</sup> Dane that he improove his vtmost diligence & abillitje to carry on the publick worship of God as duty doth obleige him, it being too hard for a young man to vndertake so great a worke, & would be a great incouragement to any such to be eased of a great part of his labour, as also to the people the more freely and cheerfully to contribute as abouesajd to M<sup>r</sup> Danes maintenance, w<sup>ch</sup>, w<sup>th</sup>out such performance on his part, wee haue cause to feare will come from them very heavily; and further, wee advise M<sup>r</sup> Dane to carry it to his people w<sup>th</sup> that tender loue & respect (forgetting all former disgusts) as becomes a minister of the gospell.

3. Because the charge of maintenance for the worship of God will, by this occasion, vnavoidably be augmented, & that the burden thereof hath hitherto lyen on the least number of the inhabitants, by reason of provision made by themselues of their first setling in a way which seemes to vs not æqual, we doe therefore aduise, that for the future they rayse their maintenance (as wee conceive) more agreeing to the gospel rules, viz., that he that is taught in the word should administer, &c, that one may not be eased & another burdened, but that euery man may, according to his abillity, be assessed to pay his due proportion.

This our advice wee proposed to M<sup>r</sup> Dane, the church & toune of An-

dover, the 16<sup>th</sup> of November instant, & humbly submit the same to the judgment of the honored Gennerall Court. 1681-2.

17 March.

DANIEL DENNISON,  
W<sup>m</sup> HUBBARD,  
SAMUEL PHILLIPS,  
JN<sup>o</sup> RICHARDSON,  
SAMUEL APLETON.

The Court, hauing perused this retorne, doe allow & approove thereof; and all persons therein concerned are hereby ordered to attend & act accordingly. Courts approbation thereof.

\*M<sup>r</sup> Samuel Torrey being chosen præident of the colledge by the corporation, and approved of by the ouerseers, for his incouragement to accept of that service, it is ordered, that the same allowance be settled on him which the former præident had, & that was lately past by this Court for M<sup>r</sup> Mathers incouragement when he was chosen to that imployment. [\*342.]  
Country's allowance to M<sup>r</sup> Torrey, &c.

The toune of Sherborne, being a smale people, & was deserted in the late warr, to their great impouerishing, but being againe resettled, with about thirty familjes, w<sup>ch</sup> are gennerally very poore at present, but in hope, through the honnoured Courts favo<sup>r</sup> & benigne aspect, may, in a few yeares, increase, & they hauing, through the favour of God, procured a minister, whom they hope may continue w<sup>th</sup> them, especially if they cann provide necessary comforts for him, and they being now in building a ministers house & a meeting house, both which uill cost aboue two hundred pounds, they hvmblly pray the honno<sup>r</sup>able Court to abate them for their country rates for two yeares, or rather, that they uill bestow the sajd rates on them towards the building the sajd meeting house & ministers house, the Court, on the considerations aboue, judg meet to allow to the toune of Sherborne their country rates for two yeares towards the building their meeting house & ministers house. Sherborn 2 yeares rates given to build y<sup>e</sup>r meeting & ministers house.

In ans<sup>r</sup> to the petiçon of John Cooper, in behalfe of y<sup>e</sup> selectmen of Cambridge, in refferenc to Reynold Bush, the Court judgeth it meet that the mannagment of that whole affaire be referred to the mannagment of the selectmen of Cambridg, who are hereby empowred to make sale of land, or otheruise, as they shall judge meet for payment of just debts, supply & releife of the sajd Bush & family, & that they shall give a true & just account of receipts & disbursments when they shallbe legally called therevnto. Courts act as to Reynold Bush, referring it to Cambridg selectmen.

In answer to the motion or petiçon of the church & toune of Wenham, &c, it is ordered, that the secretary issue out seasonable sumons to all persons Ans<sup>r</sup> to Wenham petiçon, a hearing granted.

1681-2. concerned herein of Ipsuish & Wenham to appeare before the Genll Court next, on the first Tuesday after the election, when there shallbe a hearing of the case in order to a full determination thereof.

17 March.

Andouers ex-  
chang of land  
for y<sup>e</sup> ministry  
allowed of, &c.

In ans<sup>r</sup> to the petiçōn of M<sup>r</sup> Dudley Bradstreet, Jn<sup>o</sup> Osgood, Thomas Chandler, & Richard Barker, in behalfe of the toune of Andiver, humbly shewing that, whereas yo<sup>r</sup> petiçōners, some yeares since, did giue & grant to Jn<sup>o</sup> Fry, Señ, & Richard Barker, Señ, & their heires, one hvndred acres of vpland, to be for the vse of the ministry foreuer, wee, being now to setle another minister, find that this land is not in a suitable place for a minister to dwell in, it being a mile from our meeting house; wee haue found out a place in the toune, neere the meeting house, very convenient, which is the lott of Henry Ingalls, which wee haue procured by way of exchāing for seventy acres of the abouesajd hundred, but the two men w<sup>ch</sup> are the ffeoffees doe feare that theire heires may be in danger of after damage or trouble; [\*343.] that it not \*being in their power to alljenate the aforesajd land, our humble request therefore is, that the honored Court would confirme this our act, and lay the same entajlement on the sajd lott or lving which wee haue purchased as was vpon the abouesd land layd out for the ministry, the grant of which will obleige, &c.

The Court judgeth it meet to allow & approove of the land aboue mentioned, provided the land exchanged may & shall stand as the former did for the same end & vse of the ministry.

20 M<sup>ch</sup>, 81-2.  
W<sup>m</sup> Stoughton,  
Esq<sup>r</sup>, & Joseph  
Dudley, Esq<sup>r</sup>,  
agents.

The whole Court mett & voted together, by papers, for agents to goe & wayte on his maj<sup>ty</sup>, &c, & on the scrutiny, W<sup>m</sup> Stoughton, Esq<sup>r</sup>, was chosen for one w<sup>th</sup> 21 voates, & Joseph Dudley, Esq<sup>r</sup>, was chosen for the other by 18.

23.  
Jn<sup>o</sup> Richard,  
Esq<sup>r</sup>, the other  
agent.

M<sup>r</sup> Stoughton hauing manifested his greate dissatisfaction from accepting and vndertaking the employment & suruice he hath binn chosen to by this Court, &c, after the Court earnestly once & againe desiring his acceptanc, but he persisting in his answer already given, the whole Court came together, & by their voate Jn<sup>o</sup> Richards, Esq<sup>r</sup>, was chosen to be the other agent.

Instructions for Joseph Dudley and John Richards, Esquires, messengers in behalfe of the colonje of the Massachusets, for their direction and limitation in the trust to which they haue binn chosen by this Court.

1. Yow shall most humbly present the humble address of this Court to his royall majesty, with our humble thanks for his gracious respect to the peace & weale of his subjects, scittuate so remote from his royall court; and with reference to complaints exhibbited against us, —



2. Yow shall informe his maj<sup>ty</sup> that we tooke vp stamping of silver 1681-2.  
meerley vpon necessitje, to prevent cheats by false peeces of eight, which  
were brought hither in the tyme of the late confusions, and wee haue been well  
informed that his maj<sup>ty</sup> had knowledge thereof, yet did not manifest any dis-  
satisfaction thereat vntil of very late; and if that be a trespasse vpon his maj<sup>ties</sup>  
royal prerogative, of which wee are ignorant, wee humbly beg his maj<sup>ties</sup> par-  
don and gracious allowance therein, it being so exceeding necessary for our  
civil commerce, & no way, as wee humbly conceive, detrimentall to his  
royal majestje.

23 March.

3. That wee haue no law prohibiting any such as are of the perswasion  
of the church of England, nor haue any euer desired to worship God accord-  
ingly that haue been denied.

\*4. For liberty of conscience wee haue been, as wee then conceiued, [\*344.]  
necessitated to make some severe lawes to prevent the violent & impetuous  
intrusions of the Quakers at their first coming into these parts, and our pro-  
ceedings therevpon were approoved by his maj<sup>ty</sup> in his gracious letter of June  
28, in the fowrteenth yeare of his reigne, w<sup>ch</sup> also for diuers yeares haue been  
suspended, vpon the signification of his maj<sup>ties</sup> pleasure therein; and as for  
the Annabaptists, they are now subject to no other pœnal statutes then those  
of the Congregational way.

5. For admission of ffreemen, wee humbly conceive it is our liberty, by  
charter, to chuse whom wee will admitt into our oune company, w<sup>ch</sup> yet hath  
not binn restryned to Congregational men, but others haue been admitted, who  
were also provided for, according to his maj<sup>ties</sup> direction, by a lawe made anno  
1664, in answer to his maj<sup>ties</sup> letter of June 28, 1662, and thië law restreyn-  
ing ffreemen to church members only is repealed.

6. And, to prevent irrégular trading, yow shall say that wee haue made pro-  
vision by our lawes; that the acts of trade, so farr as they concerne vs, shall be  
strictly obserued in this colonje; and that all due encouragement and assist-  
ance shallbe given to his maj<sup>ties</sup> officers and informers that may prosecute the  
breaches of sajd acts of trade and nauigation.

In reference to the kings dues arising by forfeitures of contraband goods,  
yow shall say, that wee pretend no right or title to any of them, being other-  
wise settled by acts of Parljamēt.

And for appeales to his maj<sup>ty</sup> & counēl in cases concerning his maj<sup>ties</sup>  
fuenue, we haue cause to feare it may prooue extreamly burdensome, and,  
as it may be improoued, intollerable, should it be admitted.

In answer to the clark in his maj<sup>ties</sup> letter, referring to his officers deposit-  
ing money before trjall, and paying costs, you shall say, that ffes for ordinary



1681-2. processe in any of his maj<sup>ties</sup> Courts neither haue or are demanded or paid in cases concerning his maj<sup>ties</sup> \*revenue, but that it would be accounted & found very burdensome vnto the subject to haue special Courts & iurges from all parts of the country summoned out of the proper terme times, and from their necessary occasions vpon the mere pleasure of such officers as may desire to give trouble & disquiet to persons, w<sup>th</sup>out any service to his maj<sup>ty</sup>, and not to assigne them such compensation as may defray their necessary charge of attendance; and for what hath been assigned to partjes vnjustly persued and vexed, that wee conceive it agreeable with the acts of Parliament; that officers hauing illegally detejned mens goods should be liable to pay costs & damages; and for tryalls that haue been with any particular persons for their irregular trading, they haue been according to our custome & the libertje of our English nation, (which hath been claymed by the partjes,) by jury, vpon their solemne oathes to giue in their virdicts according to law and euidence given in the case.

23 March.

[\*345.]

And yow shall humbly pray his maj<sup>ties</sup> favour, referring to plantation goods, that they, hauing paid his maj<sup>ties</sup> dues, according to an act of Parliament in the 25<sup>th</sup> yeare of his maj<sup>ties</sup>, his subjects in this colonje may haue liberty granted them to transport the said plantation goods into Europe or any other parts & ports, as his maj<sup>ties</sup> subjects in England may lawfully doe, without being accompted breakers of the act of Parliament made in the twelfth yeare of his maj<sup>ties</sup> reigne, and that what plantation goods are laden directly from hence in to England, Ireland, Wales, or Berwick vpon Tweed, may be laden custome free, his maj<sup>ties</sup> dues hauing been already paid.

7. Whereas wee haue imposed some smale rates vpon straingers, as well as our oune inhabitants, which hath beene but one penny in the pound sterling, it hath binne donne for the necessary support of the government, and erecting & mainteyning efforts for our defence, which rates haue beene of late greatly augmented vpon our oune inhabitants (but not vpon strangers) by reason of the late warr with the Indians.

8. In obedience to his maj<sup>ties</sup> command to informe the inhabitants vnder the clajme of M<sup>r</sup> Mason, that they make their address to his maj<sup>ty</sup>, this Court hath informed them of his maj<sup>ties</sup> pleasure therein, and they being patent vnder the gouernment of the Massachusetts, \*and applying themselues to this Courts, we answer, that by patent right, as also by the opinion of his maj<sup>ties</sup> lords cheif iustices, & the lords of the Committee for Forreigne Plantations, & confirmed by his maj<sup>ty</sup> at the council board, July 20<sup>th</sup>, 1677, our patent is to extend three miles northward of Merrimak, and three miles southward of Charles Riuer, within which limits M<sup>r</sup> Masons present clajme lies, and all

[\*346.]

tryalls for titles of land ought to be in his majestjes Courts vpon the place, and all persons concerned are required to acquiesce therein; and which notwithstanding, Mr Mason submitts not to his maj<sup>tjes</sup> comānds, but still persists in troubling his maj<sup>tye</sup> w<sup>th</sup> complaints, and occasioning much trouble & disquiet to his maj<sup>tjes</sup> subjects here, w<sup>ch</sup> wee humbly craue his maj<sup>ty</sup> would put a stop vnto.

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23 March.

9. For the Prouince of Meyne, yow shall give his magtje a true relation of our proceedings w<sup>th</sup> reference to the settlement of our gofūnment, according to the charter granted to S<sup>r</sup> Fardinando Gorges, & of the extraordinary charges, amounting to aboue eight thousand pounds, besides the loss of many of our men during the late warr, and since, for the deffence of his maj<sup>tjes</sup> subjects there against the Indians, who threatned us with another warr.

10. Forasmuch as his maj<sup>tye</sup> hath in his late letters gratusly intimated to us, & to our messengers, (in their late attendance,) that he hath no intention to violate or infringe our charter, we therefore doe not vnderstand by the regulation of the gouernment, that any alteration of the patent is intended; yow shall therefore neither doe nor consent to any thing that may violate or infringe the libertjes & priuiledges granted to us by his maj<sup>tjes</sup> royall charter, or the gouernment established thereby; but if anything be propounded that may tend therevnto, yow shall say, yow haue received no instruction in that matter, and shall humbly craue his maj<sup>tjes</sup> favour that yow may not be constreyned to make answer thereto, but haue liberty to give an account thereof.

11. Yow shall endeavour to give his maj<sup>ty</sup> & honno<sup>r</sup>ble covncil satisfaction with refference to the premisses, humbly crauing the contiñance of his maj<sup>tjes</sup> grace and favour toward us, who haue alwayes endeavoured to approoue ourselues his maj<sup>tyes</sup> most loyall subjects, & promoters of his croune & dignitje, & w<sup>ch</sup> alwajes we shall continue to doe. And wherein there hath been any varying from the strict termes of his maj<sup>tjes</sup> royall charter, yow shall beg his princely consideration of the circumstances of our condition in all respects, (whilst our allegiance to his majesty hath binn \*sincerely majntejned,) suppli-  
cating his gratus pardon for what of that nature is past, which wee haue now amended, & obleiging that our patent shallbe the rule, according to which wee shall endeavour to frame our lawes more strictly for the future.

[\*347.]

By the Court.

Signed,

EDWARD RAWSON, Secre<sup>t</sup>.Dated in Boston, in New England, 15<sup>th</sup> February, 1681.

In answer to the petition of the selectmen of Billirrica, to the quæstion

1681-2. therein made, the Court judgeth it meete to referr all persons concerned to what the law determines in those cases, & declares the former act of settlement, dated October 12, 1669, for the payment of thirty eight shillings p annū by the Wymans to Billirrica, is hereby made voyd.

23 March.

1682. \*At a Gennerall Court for Elections, held at Boston, 24<sup>th</sup> of May, 1682.

24 May.

[\*348.]

SYMON BRADSTREETE, Esq<sup>r</sup>, was chosen Governo<sup>r</sup> for y<sup>e</sup> yeare ensuing, & tooke his oath.

Thō Danforth, Esq<sup>r</sup>, was chosen Dep<sup>t</sup> Gofino<sup>r</sup> for y<sup>e</sup> yeare ensuing, & tooke his oath, & 2<sup>d</sup> Co<sup>m</sup>iss<sup>r</sup>.

Richard Saltonstall,

Daniel Gookin, and

Daniel Dennison,

John Pynchon,

W<sup>m</sup> Stoughton, and

Joseph Dudley,

Peter Bulkley, and

Nath Saltonstall,

Humphrey Dauy,

W<sup>m</sup> Broune,

Jn<sup>o</sup> Richards,

Samuel Nowell, and

John Hull,

James Russell, and

Peter Tilton,

Bartho<sup>t</sup> Gidney,

Samuel Apleton,

Robert Pike,

Majo<sup>r</sup> Gennerall, & tooke his oath.

1<sup>st</sup> Co<sup>m</sup>issioner for y<sup>e</sup> Vnited Colonjes.

2<sup>d</sup> Co<sup>m</sup>ission<sup>r</sup> for y<sup>e</sup> Vnited Colonjes.

Esq<sup>s</sup>, were chosen Assistants for y<sup>e</sup> yeare ensuing, & tooke y<sup>e</sup>ir oaths, as vide D<sup>b</sup>ook.

1<sup>st</sup> Co<sup>m</sup>ission<sup>r</sup> in reserve.

Treasurer for y<sup>e</sup> yeare ensuing, & took his oath.

Edward Rawson, & was chosen Secretary for y<sup>e</sup> yeare ensuing, & tooke his oath.

Here followes the names of the deputjes returnd from the seuerall townes to serve at y<sup>e</sup> Court:—

Mr Edmond Batter, Mr Samuel Gardiner, Salem.

1682.

24 May.

Cap<sup>t</sup> Richard Sprague, M<sup>r</sup> Jn<sup>o</sup> Cutler, Charl<sup>s</sup>.M<sup>r</sup> James Blake, Dorch.M<sup>r</sup> Anth<sup>o</sup> Stoddard, M<sup>r</sup> Elisha Cooke, Cap<sup>t</sup> Elisha Hutchinson, Boston.M<sup>r</sup> Edw<sup>d</sup> Morrice, Roxbury.M<sup>r</sup> Symon Stone, Water T.M<sup>r</sup> Edw<sup>d</sup> Winship, M<sup>r</sup> John Stone, Camb<sup>r</sup>.M<sup>r</sup> Andrew Mansfeild, Lyn.M<sup>r</sup> Jn<sup>o</sup>th<sup>a</sup> Wade, Cap<sup>t</sup> Jn<sup>o</sup> Whiple, Ipswich.Cap<sup>t</sup> Dan<sup>i</sup> Pearse, New<sup>b</sup>.M<sup>r</sup> Daniell Cushin, Hing<sup>h</sup>.M<sup>r</sup> Stephen French, Wey.Cap<sup>t</sup> Daniell Fisher, Ded<sup>h</sup>.M<sup>r</sup> Joseph Pynchon, Springf.M<sup>r</sup> Jn<sup>o</sup> Flynt, Concord.Cap<sup>t</sup> Jn<sup>o</sup> Wayt, Maulden.M<sup>r</sup> Jn<sup>o</sup> Broune, Redding.Left W<sup>m</sup> Johnson, Woo<sup>b</sup>.M<sup>r</sup> W<sup>m</sup> Haskall, Glosester.M<sup>r</sup> Samuel Thompson, Braintry.M<sup>r</sup> John Pickard, <sup>Peterson,</sup> Rouley.Cap<sup>t</sup> Jn<sup>o</sup> Wayte, Malden.Cap<sup>t</sup> Georg Barber, Medfeild.M<sup>r</sup> ^, Marlborough.Left W<sup>m</sup> Clarke, Northampton.

Left Phillip Smith, Hadley.

Cap<sup>t</sup> Georg Barber, Meadfeld.M<sup>r</sup> W<sup>m</sup> Blake, for Milton.M<sup>r</sup> Excercise Connant, Beverly.Cap<sup>t</sup> Daniel Fisher was chosen Speaker for y<sup>e</sup> session.

\*This Court, taking into consideration that by the frequent exportation [\*349.] of our New England coyne out of the country, whereby com<sup>er</sup>ce and trade is very much obstructed, as an expedient to keepe money in the country, it is ordered, that all peices of  $\frac{8}{8}$ , as pillar, civil, & Mexico coyne, that are good silver, shall passe amongst us as currant money of New England, according to their weight in the present New England coyne.

Humphry Davy & John Hull, Esq<sup>s</sup>, are appointed, w<sup>th</sup> Cap<sup>t</sup> Elisha Hutchinson, M<sup>r</sup> Elisha Cooke, & Cap<sup>t</sup> Richard Sprague, as a com<sup>it</sup>tee

Peeces of  $\frac{8}{8}$  to pass curr<sup>t</sup> according to y<sup>e</sup> weight good siluer.  
Com<sup>it</sup>tee to take y<sup>e</sup> Tresu- rers acco<sup>t</sup>.



1682. to examine & receive the Tresurers accounts, & make their returne to the next session of this Court, in October.

24 May.  
President Rogers  
sallery.

The Refend Mr John Rogers being now chosen president of the colledge at Cambridge by the corporation, & y<sup>e</sup> choyce approved on by the ouseeers of the colledge, it is ordered, that his yearly allowanc be one hundred pounds in money, and fifty pounds in other pay, during his continuanc in that place & imploy.

Mr Andrews &  
Mr Cottons  
recompent, 50<sup>u</sup>  
between them.

It is ordered, that Mr Sam Andrews & Mr John Cotton, the two fellowes of Harvard Colledge, (having tooke much paynes & vsed much diligenc in carrying on the presidents worke, since Mr Oakes death, to good sattisfaction, for their encouragement, & in recompence of their service, shall haue paid vnto them by the Tresurer of the country ffty pounds in money.

Fortifications  
to be repaired,  
&c, at Charle  
Tou. & Salem,  
&c.

Whereas it is informed that the ffortifications at Charls Toune & Salem are very defective & vnserviceable, if occasion should require, this Court doth therefore comend it to the care of the comittees of militias & selectmen of said townes, by the aduice of the majo<sup>r</sup> gennerall, forthwith to repayre the said fortifications, or, if neede be, to build or rayse such fort or forts as shall be necessary for defence of said townes; and the sd comittees and selectmen of said townes are heereby impowred to levy vpon their respective townes & inhabitants such summe or summes as may effect the same.

Mr Stoughton  
& Mr Bulkleys  
comission, &c.

The Gennerall Court hauing appointed & impoured Mr Stoughton & Mr Dudley to doe what is yet necessary pursuant to the psecution of the 4<sup>th</sup> & 5<sup>th</sup> article of their returne made February 18<sup>th</sup>, 1681, and to make returne of what they doe therein to this Court, refference to the order in that matter being had, it is now ordered, that Mr Bulkley be impoured & joyned with Mr Stoughton, in the roome of Mr Dudley, to pursue the premisses to effect, they making deeds of sale from the Indians to be to the Go<sup>u</sup>n<sup>r</sup> & Comp<sup>a</sup> of y<sup>e</sup> jurisdiction.

Mr Stoughton  
& Mr Hull a  
comittee about  
licenses.

It is ordered, that W<sup>m</sup> Stoughton & Jn<sup>o</sup> Hull, Esq<sup>s</sup>, be & hereby are impowred to joyne w<sup>th</sup> James Russell, Esq<sup>r</sup>, Tresurer, &c, as to make agreements w<sup>th</sup> the inkeepers & vintners, in the steed & roome of Mr Dudley & Mr Richards.

[\*350.]

Ans<sup>r</sup> to Leif<sup>t</sup>  
Jn<sup>o</sup> Maudsleys  
pet.

\*In ans<sup>r</sup> to the petition of Leif<sup>t</sup> John Maudsley, of Westfeild, the Court judgeth it meet to refferr the whole matter thereof to the consideration of the County Court of Hampshire, who are heereby empowred to act herein, and to setle it in such a way as the law in this case doth direct, and as may remoove all just ground of complaint from the petico<sup>n</sup>er.

27 May.

Know all men by these presents, that wee, whose names are vnderwrit-

ten, proprietors of the Indian plantation neare Marlborow, and haue right to the land and priuiledges there, doe freely consent, vpon consideration of a valuable sume of money secured to be paid to us by Samuel Gookin, of Cambridge, doe grant to him, the said Gookin, his heires and assignes, free liberty to erect a saw mill vpon any brooke or runn of water within the said Indian plantation, w<sup>th</sup> so much land as is vsefull for damming, wharfing, pond, &c, not exceeding three acres, and vse any timber that is suiteable to saw, especially pine timber; to haue & to hold the same, during the space of thirty yeares, to him, his heires and assignes; and also, wee, the said proprietors, doe empower the sd Gookin to preserve our interest in wood & timber during the said tyme, and to sue, arest, and implead, in our names, all such as shall trespass vpon our land in the said place; and all this wee grant to him, as afore-said, vpon condition the Gennerall Court doe approoue and consent therevnto. In witness hereof wee doe sett our hands & seales, May eighteenth, 1682.

1682.

27 May.

In the presence of	WABANS, X mark & a seale,	} in blā wax.
	PYAMBOW, O mark & a seale,	
	GREAT JAMES, V mark & a seale,	
	THOMAS TRAY, m <sup>r</sup> k & a seale,	
	JOHN MICOS, his m <sup>r</sup> k & a seale,	

Waban, Pyambow, Great James, John Magus, personally appearing, acknowledged this deed, May 19<sup>th</sup>, 1682, before me,

WILLIAM STOUGHTON.

And was annext: Forasmuch as the Indians, our neighbour proprietors of the tounship of Whip Sufferage, neere Marlborough, haue, by a writting vnder their hands & seales herevnto annexed, acknowledged, by the principle of them, before vs, the 19<sup>th</sup> of May last, at Natick, granted liberty to Samuel Gookin to build a saw mill vpon a brooke or runne of water within their bounds, and the quantity of about three acres of ground for the mill and damm to stand vpon, w<sup>th</sup> liberty *\*liberty* of timber, especially pine, for to saw into boards, &c, and all this for sattisfaction to be given them by him, to be enjoyed by him for the terme of thirty yeares, wee haue heard the partjes, and considered the matter, añ conceive it willbe for the publicke good of the place and no prejudice to the Indeans, there being abundanc of pine timber vpon the place, as wee are informed, and no great oppertunity of sale but only to the people of Marlborough; and therefore, if the Court please to confirme

27 May.

[\*351.]

1682. the said grant, wee see no inconvenience to any English or Indian, but a publick vtillity in it. Dated the 27<sup>th</sup> of May, 1682.

27 May.

W<sup>m</sup> STOUGHTON, ..  
JOSEPH DUDLEY.

The Court doth allow & confirme what is aboue desired.

As attests EDWARD RAWSON, Secret.

& stands thus entred & recorded at the request of Mr Gookin, leaūg a copi.

Attests EDW<sup>d</sup> RAWSON, Secret.

To all people to whom these presents shall come, greeting: Know yee that wee, Waban, Pyambow, Tom Tray, John Magos, Peter Ephraim, John Awassamug, John Macqua, all now inhabitants of Naticke, for and in consideration of a valuable sum of money secured to be paid to vs by Samuel Gookin, of Cambridge, and Samuel How, of Sudbury, doe, with the consent and approbation of the rest of the proprietors, by these presents acknowledge to be fully sattisfied and contented, and thereof, and of euery part thereof, doe fully, clearly, and absolutely acquitt, exōnnorate, & discharge them, the said Samuel Gookin and Samuēll How, their heires, executors, and administrators for euer, by these presents, haue granted, bargained, and sold, alljened, enfeoffed, & confirmed, and by these psents doe fully, clearly, and absolutely grant, bargain, and sell, alljene, enfeoffe, and confirme vnto them, the said Samuel Gookin & Samuēll How, a parcell of land lying and being in the bounds of Natick, conteyning, by estimation, two hundred acres, more or lesse, bounded w<sup>th</sup> Sherborne līne southerly, w<sup>th</sup> John Bent and David Stones land northerly, Henry Rices land and Catcheehauitt Pond easterly, to haue and to hold the aboue granted premisses, be the same more or less, w<sup>th</sup> all the priuiledges and appurtenances to the same apperteyning, or in any wise belonging, to them, the said Samuel Gookin and Samuel How, their heires and assignes for euer, to thejre only propper vse and bennefit; and wee, the abouesajd Waban, Pyambow, Tom Tray, John Magos, Peter A, John Awassamug, for vs, our heires, administrators, and assignes, doe couenant, promise, and grant \*to and w<sup>th</sup> the said Samuēll Gookin and Samuel How, their heires and assignes, by these presents, that they, the said Samuēll Gookin and Samuēll How, shall and may at all times, and from time to time, for euer hereafter peaceably and quietly haue, hold, occupy, and enjoy the aboue granted prem-




[\*352.]

issues, w<sup>th</sup> all the priuiledges and appurtenances therevnto belonging, w<sup>thout</sup> the lett, denyall, or contradiction of us, Waban, Pyambow, Tom Tray, John Magos, Peter Ephraim, John Awassamug, John Macqua, our heires, executo<sup>r</sup>s, admistrato<sup>r</sup>s, or assignes, of them, or either of them, or by any other person or persons whatsoever, lawfully clayming, or hauing any right, title, or interest therein, or in any part or parcell thereof, by, from, or vnder vs. In wittnes whereof, wee, the aboue named Waban, Pyambow, Tom Tray, John Magos, Peter Ephraim, John Awassamug, John Macqua, haue herevnto put our hands and seales, this 19<sup>th</sup> day of May, 1682.

1682.

27 May.

Sealled and deliuered in  
the presence of vs.  
Edw<sup>d</sup> West,  
Thomas Sawin.

WABANS marke,  & a seale,  
PYAMBOW,  mark, & a seale,  
TOM TRAY,  m<sup>r</sup>k, & a seale,  
JOHN MAGOS, & a seale,  
THO: WABAN, & a seale,  
JN<sup>o</sup> MACQUA<sup>r</sup>, & a seale,  
^ ^ a seale.

Waban, Pyambow, Jn<sup>o</sup> Magos, Thomas Waban, & John Macqua acknowledged this deed, May 19<sup>th</sup>, 1682, before me,

WILLJAM STOUGHTON.

Annex<sup>t</sup>.

Whereas wee are appointed by the Gennerall Courts order, dated the 15<sup>th</sup> of February, 1681, to transact some matters relating to the Indeans, concerning their lands, and being vpon that occasion at Naticke, the 19<sup>th</sup> of May, there was presented vnto vs the deed of sale herevnto annexed from the principall men of Natick, which they acknowledged before vs, made to Samuell Gookin & Samuell How, for a parcell of remote & wast lands belonging to the sajd Indians, lying at the vttmost westerly bounds of Natick, and, as wee are informed, haüg seene the platt thereof, is, for quantity, about two hundred acres, more or less, being meane land, and ffor the most part encompassed w<sup>th</sup> lands belonging to the English; and, hauing inquired into the matter, wee conceive it willbe no pjudice or inconvenience to the Indians, or their plantation, of Natick to sell the same to the persons concerned, \*which, at request of partjes, both Indeans & English, wee offer to the Court for their confirmation of the sajd sale. Dated the 27<sup>th</sup> of May, 1682.

[\*353.]

WILLJAM STOUGHTON,  
JOSEPH DUDLEY.



1682.

27 May.

The Court doth allow & confirme what is aboue desired, as here thus recorded,

As attests EDW<sup>d</sup> RAWSON, Secret<sup>r</sup>,

at request of Mr Gookin he leaving a copie on file in their stead.

Butler & Holloways case finally issued.

In the case now depending between Stephen Butler and William Holloway, &c, coming to this Court by petition of said Butler, touching the estate of the late Benjamin Ward, deceased, the Court, on a full hearing of the case, & persvall of all evidences produced in the same, vpon all considerations, & for a fynall issue of this troublesome case, the Court doe judge & determine that the said Willjam Holloway, Señ, his children, i. e., Willjam Holloway, Benjamin Holloway, and Mary Holloway, shall pay vnto the said Butler the sume of one hundred & fucty pounds, currant mony of New England, w<sup>thin</sup> one yeare after the date hereof, by æquall portions quarterly, w<sup>ch</sup> being duely payd, the said children shall peaceably enjoy all the houses and lands which the said Ward djed seized of, together w<sup>th</sup> what hath binn builded since his death vpon said land, to them and their heires foreuer; and for the costs of these three seuerall Courts where the case hath binn last trjed, each party to beare their owne charges.

Hampshire associates.

Leiften<sup>t</sup> W<sup>m</sup> Clarke, Cap<sup>t</sup> Aron Cooke, & Leiften<sup>t</sup> Phillip Smith were allowed & approoved of for associates for the County Courts in Hampshire for y<sup>e</sup> yeare ensuing.

Ans<sup>r</sup> to Mendon petition, & freedome from rates one yeare, &c.

In answer to the petition of the inhabitants of Mendon, craving the Courts favour for abatement of country rates this yeare, 1682, which this Court judgeth meet to grant; and as to that part which refers to Indians, the petiçoners may take notice, that the Court hath provided in this case by a law made in October last, in w<sup>ch</sup> they may rest satisfied. Touching Robert Taffe, the person complayned of for irregular trading w<sup>th</sup> the Indeans, that matter is wholly left to the County Court of Suffolke to doe therein as they shall judge meet vnto whom, the petiçoners may apply themselves for releife.

[\*354.]

Ans<sup>r</sup> to Jn<sup>o</sup> Coleman petition, &c, as to Hindsdale estate.

\*In answer to the petition of Jn<sup>o</sup> Coleman & Mehittabell Coleman, formerly widdow & relict to Samuel Hensdale, sometimes of Dearefeild, & administrators to his estate, humbly crauing the Courts favour for giving legall deeds of sale to seuerall persons who purchased lands of said Hendsdall in his life time, & haue no assurance of it, the Court judgeth meet to grant their desires, and doe hereby impower them to pass deeds as aforesaid to all such persons as shall make their just right to appeare to the County Court of that shire, & to be recorded accordingly; and further, it is ordered hereby, and

the Court of that county are hereby impoured to order the sale of so much lands as may be necessary for the payment of just debts, & taking vp of such mortgages as in the petition is exprest.

1682.

27 May.

At this Court, M<sup>r</sup> Zerubbabell Endicots attorney, Lef<sup>t</sup> Felton, appeared, but refusing to giue caution to haue his case heard, w<sup>ch</sup> was granted by the last Court, M<sup>r</sup> Putnam being present, & being willing to proceed, the Court proceeded, & received in the returne of the co<sup>m</sup>ittee, under exprest: —

Salem, Novemb<sup>r</sup> 15, 1681.

Wee, whose names are vnder written, being nominated and appointed by the hono<sup>ble</sup> Gennerall Court, held at Boston, October 12<sup>th</sup>, 1681, to endeavor a more full and sattisfactory settlement of the bounds betweene the farmes of M<sup>r</sup> James Alljn, of Boston, and Nathaniel Putnam & Joseph Holton, of Salem, wee repaying to the place of contro<sup>u</sup>rsy the 15<sup>th</sup> 9<sup>th</sup>, 1681, and hauing given notice to the persons concerned therein, who, attending the same the next day, & hauing a copje of the originall grant of M<sup>r</sup> James Allins farme out of Salem Toune booke, together with the cotype of M<sup>r</sup> Endicots farme, which was next adjacent, wee endeavored to lay M<sup>r</sup> Allins farme exactly according to the first grant of it, being guided by the record of it and the best testimony could be obteyned. Wee begann at an old hemlock, fallen doune, and lying by the side of the old sawmill place; from thence wee ran south sixe degrees & 30 min<sup>ts</sup> east, one hundred & sixteene pole, to a stake; from thence wee ran north seventy one degrees west, fowre hundred pole, to a great maple, old mark, A, standing a litle westward of a swamp, and by a brooke in that place; from thence north sixe degrees & 30 minu<sup>ts</sup> west, to a popular, old marked, w<sup>th</sup> A; from thence wee rann south seventy nine degrees east, one hundred & fucty sixe pole, to a stake (eastward of the old orchard) standing by the side of a bridge; from thence in a direct ljne to another bridge, called Hadlocks bridge, to a rocke lying in the brooke by the \*side of the bridge; & from thence in a direct ljne to the first hemlock, which last ljne is according to a former agreement betweene M<sup>r</sup> James Allin & Nathaniel Putman; for the setling of their bounds in that place betweene them w<sup>th</sup>in the ljnes mentioned, is conteyned three hundred acres, according to first grant of it to M<sup>r</sup> Bishop: also wee haue added eight acres to the former farme, at the north east corner of the sawmill place, (according to Salem reccord of M<sup>r</sup> Bishops farme, as aforesajd,) bounded by the water of the brooke that divides between M<sup>r</sup> Endecot & M<sup>r</sup> Skelton; also wee haue ordered the sur-

Co<sup>m</sup>ittees re-  
turne for settle-  
ment of M<sup>r</sup> Al-  
lins & M<sup>r</sup> Put-  
mans farme.

[\*355.]

Y<sup>e</sup> platt is on  
file.

1682.

27 May.

veyor, Jonathan Danforth, to make a returne of the *the* eight acres, w<sup>th</sup> the platt & reccord of the aforesajd ffarme, this 18<sup>th</sup> 9 m, 1681.

EDMOND BATTER,  
DANI: FISHER,  
JOHN WAITE,  
W<sup>m</sup> JOHNSON,  
ANDREW MANSFEILD.

The Court haue past this returne of the comittee aboue written.

Nath. Stowes  
ffarme of 250  
acres layd out.

The land represented by a platt, deliuered into this Court, conteyning a quantity of two hundred fiftie & three acres, layd out for Nathaniel Stow, of Concord, is bounded from A to B by Marlborough bounds line; from B to C, and from C to D, and from D to A, by country land, the līne being extant by marked trees, layd out 23 April, 1675.

JN<sup>o</sup> FLYNT, Surveyor.

The Court allowes of this returne.

Ans<sup>r</sup> to Mary  
Hutsons peti-  
cion.

In ans<sup>r</sup> to the petiçōn of Mary Hutson, relict of John Hutson, hir late husband, humbly craving this Courts favour to impower hir to sell or mortgage the house & land of hir s<sup>d</sup> late husbands for the payment of his debts, the Court grants hir request, so as Mr Humphry Davy consent to hir sajd act.

Ans<sup>r</sup> to Mary  
Feilds petiçōn.

In ans<sup>r</sup> to the petiçōn of Mary Feild, relict of Rob<sup>t</sup> Feild, humbly desiring the favour of this Court to grant hir liberty to sell y<sup>e</sup> house & smale parcell of land formerly given to hir husband & self, hauing but litle household stuff to maynteyne herself & smale children, the Court judgeth it meet to grant hir petiçōn.

21<sup>th</sup> to be p<sup>d</sup> to  
Mr J<sup>n</sup>eth. Gil-  
bert by y<sup>e</sup> Tres<sup>r</sup>  
for 21 mo. diet  
of J<sup>n</sup>eth. Wells,  
&c.

This Court, in May, 1680, hauing allowed to Mr Saff Steele twenty one pounds, in country pay, for 21 months diet of Jonathan Wells, a wounded soldier, w<sup>ch</sup> the sajd Steele not accepting, sued Mr Jonathan Gilbert, of Hartford, & recouered of him a greater sume; wherefore now, at the motion of sajd Gilbert, this Court orders the sajd twenty one pounds to be paid by the Tresurer to the sajd Mr Gilbert, or his order, provided that due care be taken by y<sup>e</sup> Tresurer that it be not again paid to sajd Steele, or any other, by his order.

Tho. Addams  
leif<sup>t</sup> of Chelms-  
ford.

Ans<sup>r</sup> to Han-  
nah Hides pet.  
as to Kendricks  
estate.

Ensigne Thomas Addams is appointed to be leif<sup>t</sup> to the ffoot company in Chelmsford, vnder ye comānd of Cap<sup>t</sup> Samuel Addams.

[\*356.]

\*In ans<sup>r</sup> to the petiçōn of Hannah Hide, the Court judgeth it meet to

confirme the settlement of Elijah Kendricks estate, made by the County Court for Middlesex, as is therein recited. 1682.

In ans<sup>r</sup> to the petiçōn of Sarah Hubbard, relict of M<sup>r</sup> Richard Hubbard, the Court approves of the sale of y<sup>e</sup> peece of land mentioned in hir petiçōn.

In ans<sup>r</sup> to the petiçōn of Elizabeth Beers, relict & administratrix w<sup>th</sup> Eliaz<sup>r</sup> Beers, administrator to the estate of the late Cap<sup>t</sup> Rich<sup>d</sup> Beers, humbly desiring the favour of this Court, that he may haue liberty to lay out three hundred acres of land, formerly granted to sajd Rich<sup>d</sup> Beeres, but lately taken in to M<sup>r</sup> Nowells farme, new bounded, & before his granted, the Court grants their request in any free land vndisposed of by any artist, &c.

27 May.

Ans<sup>r</sup> to M<sup>rs</sup> Sarah Hubbards petiçō.Ans<sup>r</sup> to widow Beers, &c, petiçōn.

I, Peter Goulding, doe acknowledg vnto this Gennerall Court, worthy of honnour, that so farr as the suspending of their sentence against me was in favour or kindness to me or mine, I doe acknowledg it worthy of thanks, & doe hereby in all humility render my hearty thanks for the same. I doe acknowledg that from God I haue justly deserued the fine or punishment I am sentenced vnto. I doe acknowledg, that in the matter & manner of my complaint, I acted foolishly, and sinned against God, and that it is not in my oune power to act otherujse. I doe acknowledge that it is high time for the repentance of euey man, and cheifly of

Pe. Gouldings acknowledg-ment, &amp; fine remitted.

PE: GOULDING.

The Court accepts of his acknowledgment, & remitts his fine.

In ans<sup>r</sup> to y<sup>e</sup> motion of Symon Lobdell, the Court judgeth it meet to order the Tresurer to pay him twenty fower shillings for stirrvps & girts for y<sup>e</sup> souldiers, & for keeping two Indians, &c, as in his petiçōn.

Ans<sup>r</sup> to Symon Lobdells petiçōn.

In ans<sup>r</sup> to the petiçōn of John Mason, of Dorchester, one of the executors of Jane Burg, some time wife of John Gurnell, the Court judgeth it meet to grant the petiçōners request, liberty & power to make sale for y<sup>e</sup> ends mentioned in the petiçōn.

Ans<sup>r</sup> to Jn<sup>o</sup> Masons petiçōn.

In ans<sup>r</sup> to the petiçōn of John Hoare, & on further consideration thereof, the Court judge meet, for his service donn for the publick, &c, to grant to the uife & children of the sajd John Hoare two hundred acres of land, in any comōn lands free from former grants, & not hendering a plantation.

Courts grant to Jn<sup>o</sup> Hoares wife & children, 200 acres.

M<sup>r</sup> Ralph King is appointed, on the request or motion of the militia of y<sup>e</sup> toune of Lynne, to be leif<sup>t</sup> to y<sup>e</sup> troope of horse in Lynne.

Ralph King lef<sup>t</sup> to y<sup>e</sup> troope at Lynne.

\*Humphry Davy, Samuell Nowell, Esq<sup>s</sup>, Cap<sup>t</sup> Richard Sprague, M<sup>r</sup> Elisha Cooke, Leiu<sup>t</sup> W<sup>m</sup> Johnson, & Cap<sup>t</sup> Jn<sup>o</sup> Wayte are appointed a com<sup>it</sup>tee

[\*357.]  
Committee abt y<sup>e</sup> colledg.



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to examine the colledge account, giuen in by Mr Jn<sup>o</sup> Maſing, & what hath binn expended as lent vnto the colledge out of the corporation stocke or otheruise, that it may be repayd, and also to consider what is meet to be allowed & given to the stewards that haue had the mannagement thereof all this time, making return of what they doe at October sessions.

Maj<sup>r</sup> Pinchons  
recompence for  
his journey,  
&c, ab<sup>t</sup> Mr  
Bulkleys suite.

It is ordered, that the Tresurer pay Majo<sup>r</sup> John Pynchon five pounds money for his service & cost as to his journeys & costs at Hartford Court, about Mr Bulkley suit ag<sup>t</sup> him.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Muns petiçion.

In ans<sup>r</sup> to the petition of John Mun, the Court judgeth it meet to order the Tresurer to pay him five pounds in country pay.

Mr Peleg San-  
fords to haue  
his ballance, &c.

Mr Peleg Sanfords account, presented by Thō Danforth & Joseph Dudley, Esq<sup>r</sup>, w<sup>ch</sup> is on file, the Court judgeth it meet to order the Tresurer to pay to Majo<sup>r</sup> Peleg Sanford, or his order, our proportion of the sixty pounds balance in or as money.

Ans<sup>r</sup> to Cap<sup>t</sup>  
Tounsends pe-  
tiçion, a hearing  
in October  
next.

In answer to the petition of Cap<sup>t</sup> Penn Townsend, for a hearing of his case in fine, the Court granted a hearing of y<sup>e</sup> case, but respitted the hearing of the case till the first Tuesday in the next sessions of this Court, at nine of the cloke, on the same caution, & the goods attached by y<sup>e</sup> sajd Townsend to remajne vnder y<sup>e</sup> attachment till y<sup>e</sup> judgment of the Gennerall Court in October next be past.

Co<sup>m</sup>itt<sup>ee</sup> as to  
Squaheage, &c.

Whereas, vpon the petition of the inhabitants of Northampton, and others, in 72, a plantation was granted to them, vpon conditions expressed in sajd grant, vpon Connecticot Riuer, at a place there called Squaheage, and a co<sup>m</sup>itt<sup>ee</sup> appointed & empoured by this Court to order & regulate the affaires of that plantation till this Court take further order, — now, forasmuch as the majo<sup>r</sup> p<sup>rt</sup> of sajd co<sup>m</sup>itt<sup>ee</sup> are dead, vpon the petition of the proprietors, this Court judgeth it meet, & doe hereby nominate & appoint Ensigne John Lyman, Serjant John King, & Serjant Preserved Clap to supply the place of the deceased, & to joine w<sup>th</sup> the remaying part of the former co<sup>m</sup>itt<sup>ee</sup>, and that they, or the majo<sup>r</sup> part of them, shall haue the full power of y<sup>e</sup> former co<sup>m</sup>itt<sup>ee</sup>, and to act in all respects as in s<sup>d</sup> order is prouided.

[\*358.]

Order for re-  
setling of Dear-  
feild, &c.

\*In ans<sup>r</sup> to the petition of Richard Weller & other inhabitants of Deerfeild, the Court not being sattisfied that they may give away other proprietjes w<sup>th</sup>out their consent, yet being desirous to doe what may promote the setling sajd plantation, doe co<sup>m</sup>end it to the rest of the proprietors to follow the good example of those that haue given vp euery tenth acre, or otheruise, as they shall see cause, it being a very probable way to gaine more vsefull inhabitants for planting & setling sajd place; and as for the orphants, whose right & propriety<sup>s</sup> are not to be made voyd by this Court, but rather secured for them, or

that which maybe as good for them, the Court judgeth it meet that they choose their guardians, who may act for them, referring to those orphants lands as such guardians judg best for securing the orphants estate, w<sup>th</sup> respect to the furthering, promoting the planting, & speedy setling the sajd plantation; and for such children as are not capable of choosing guardians, the County Court for Hampshire are to make supply in appointing guardians who may act for them accordingly; and this order of Court to be their warrant in so doing, and security to such guardians hauing allowanc & approbation of the County Court therein.

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27 May.

In answer to the petition of Edmond Sheffield, of Braintree, the Court, hauing perused a deed of sale made by the admiñstrato<sup>r</sup>s of the late Leiue-  
tñant Joshua Fisher, who were impoured therevnto by this Gennerall Court, doe judge that the sajd deed of sale is and ought to be accounted good to all intents & purposes, according to the trust comitted to them, the sajd admiñstrators.

Ans<sup>r</sup> to Edmond Sheffields petiçion as to a deed of sale.

Whereas wee are appointed by the Gennerall Courts order, dated 15 of February, 1681, to transact some matters relating to the Indians concerning their lands, & being vpon that occasion at Naticke, the 19<sup>th</sup> of May, there was presented vnto vs the deed of sale, herevnto annexed, from the principall men of Naticke, which they acknowledged before vs made to Samuell Gookin & Samuell How, for a parcell of remote & wast land belonging to the sajd Indians, lying at the vtmost westerly bounds of Naticke, and, as wee are informed, (hauing seen the platt thereof,) is for quantity about ½ acres, more or lesse, being mean land, & sajd the most part encompassed w<sup>th</sup> land belonging to the English; & hauing inquired into the matter, wee conceive it will be no pjudice or inconvenience to the Indians or their plantation of Naticke to sell the same to the persons concerned, w<sup>ch</sup>, at y<sup>e</sup> request of partjes, both English & Indians, wee offer to the Court for their confirmation of y<sup>e</sup> sd sale.

Mr Stoughton & Mr Dudleys certifficat & Courts confirmation of y<sup>e</sup> Indians deeds of sale to Sam. Gookin.

Dated 27 May, 1682.

WILLIAM STOUGHTON,  
JOSEPH DUDLEY.

The Court past their allowanc hereof, & confirmation of y<sup>e</sup> deeds annext.

\*To all Christian people to whom this present deed of sale shall come,  
greeting.

[\*359.]

Know yee that wee, Waban, Pyamboho, John Awasamog, Thomas Awasamog, Samuel Awasamog, John Awasamog, Juno<sup>r</sup>, Anthony Tray, John Tray,

1682.

27 May.

Peter Ephraim, Nehemiah, James Rumney Marish, Zackary Abraham, Sam Neancit, Symon Sacomit, Andrew Pittyme, Eliazer Pegin, John Maquaw, James Printer, Samuell Acompanit, Joseph Milion, Elisha Milion, & Cocksquannion, Indian natives, and *and* naturall descendants of the anntient proprietors & inhabitants of the Nipmug country (commonly so called) and lands adjacent, w<sup>th</sup>in the colony of the Massachusetts in New England, for and in consideration of the sume of thirty pounds currant money of New England to us in hand, at and before the ensealing and deliuey of these presents, well and truly paid by Willjam Stoughton, of the toune of Dorchester, Esq<sup>r</sup>, and Joseph Dudley, of the toune of Roxbury, Esqu<sup>r</sup>, both w<sup>th</sup>in the said colony of the Massachusetts, the receipt of which valuable summe wee doe hereby acknowledge ourselues therewith fully sattisfied, contented, and paid, and thereof and of euery part and parcell thereof, wee and euery of us respectively doe exonnorate, acquit, and dischargd the said Willjam Stoughton and Joseph Dudley, and either of them, their each and euery of their heires, execcutors, administrators, & assignes, for euer, by these presents; haue given, granted, bargained, sold, aliened, assigned, enfeoffed, and confirmed, and by these presents doe freely, fully, & absolutely give, grant, bargain, sell, aljene, assigne, enfeoffe, convey, assure, and confirme vnto the said Willjam Stoughton and Joseph Dudley, their heires and assignes, for euer, all that part of the Nipmug country aboue named, or their tract of land scittuate, lying, and being beyond the great ryuer called Kuttatuck or Nipmug Ryver, and betweene a range of marked trees, beginning at the said riuer, and runing south east till it fall vpon the south lyne of the said Massachusetts colony on the south, and a certeine imaginary lne fowre miles on the north side of the road, as it now lyeth, to Springfeild on the north, the said great riuer of Kuttatuck or Nipmug on the eastward, and the said patent lne on the westward; all the lands lying within the said llimits or bounds, be the contents thereof more or less, together with all \*and singular the rights, members, jurisdictions, libertjes, wajes, riuers, waters, water courses, springs, ponds, pooles, pasturage, herbage, feedings, comons, comoditjes, heridittaments, and appurtenances watsoeuer in or vpon the said tract of land, or any part or parcel thereof or there vnto in any *in any* wise belonging or apperteyning, w<sup>th</sup> all woods, vnderwoods, timber, and trees watsoeuer now standing, grouing, lying, or being, or w<sup>ch</sup> hereafter shall stand, growe, lye, or be vpon the said bargained premisses, or any part or parcell thereof; and all fishings, fowlings, huntings, heridittaments, profitts, and priuiledges watsoeuer thereto belonging, with the same now or at any time hereafter to be had, vsed, occupied, & enjoyed; and all the estate, right, title, interest, vse, propriety, possession,

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clajme, and demand whatsoeuer of them, the sajd Waban, Pyamboho, John Awassamog, Thomas Awassamog, Sam Awassamog, John Awassamog, Junio<sup>r</sup>, Anthony Tray, John Tray, Peter Ephraim, Nehemiah, James Runney Marsh, Zachary Abraham, Sam Neancit, Symon Sacomit, Andrew Pittome, Eliazar Pegin, John Maquau, James Printer, James Accompanit, Joseph Milion, Elisha Milion and Cocksquannion, and euery of them, of, in, or to the sajd tract of land, or any part or parcel thereof, and priuiledges & appurtenances therewith granted; to haue and to hold the aboue granted tract of land, being part of the Nipmug country, (co<sup>m</sup>only so called,) as aboue limited and bounded, be the contents thereof more or less, and all other the aboue granted premisses and appurtenances, vnto them, the sajd Wjlliam Stoughton and Joseph Dudley, their heires & assignes, and to their only propper vse, bennefit, and behoofe, from henceforth foreuer. And wee, the sajd Waban, Pyamboho, John Awassamog, Thomas Awassamog, Sam Awassamog, John Awassamog, Junio<sup>r</sup>, Anthony Tray, John Tray, Peter Ephraim, Nehemiah, ^ Ru<sup>m</sup>ney Marsh, Zackary Abraham, Sam Noancit, Symon Sasomit, Andrew Pittome, Eliazar Pegin, John Maquaw, James Printer, James Accompanit, Joseph Miljon, Elisha Milion, and Cocksquannion, Indian natives, present possesso<sup>r</sup>s and inhabitants of the sajd Nipmug country, and naturall descendants of the auntient proprieto<sup>r</sup>s and inhabitants thereof, doe, for ourselues, our heires, excecuto<sup>r</sup>s, & ad<sup>m</sup>nistrato<sup>r</sup>s, couenant, promise, and grant to and with the sajd \*Willjam Stoughton and Joseph Dudley, their heires and assignes, in manner following: viz<sup>t</sup>, that at the tyme of their bargaine and sale, and vntil the ensealing and deliuey of these presents, wee are the true, sole, and lawful ouners, proprieto<sup>r</sup>s, and possesso<sup>r</sup>s of the aboue bargained land, premisses, and appurtenances, and stand lawfully seized of and in the same in our oune propper right of a good estate of inhæritance in ffee simple, w<sup>th</sup>out any manner of condition, reversion, or lymitation of vse or vses whatsoeuer; free and cleere, and freely acquitted and discharged of and from all former and other bargaines, sales, mortgages, judgments, executions, titles, troubles, charges, alienations, and incumbrances whatsoeuer; and that wee haue in ourselues full power, good right, and lawfull authority to grant, bargaine, sell, convey, and assure the aboue bargained premisses, and euery of them, vnto the sajd Willjam Stoughton and Joseph Dudley, their heires and assignes, in manner as is afore expressed, and the afore granted tract of land conteyned w<sup>th</sup>in the lymitts and bounds aboue expressed, both vpland, meadows, swamps, and wood ground, and all other the p<sup>r</sup>misses, libertjes, and appurtenances unto the sajd William Stoughton and Joseph Dudley, their heires and assignes, against ourselues and euery of us respectively, our and euery of our respective heires, excec<sup>trs</sup>, and ad<sup>m</sup>nistrato<sup>r</sup>s.

1682.

27 May.

Waban & company of Indians of Nepmug, deed of sale.

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27 May.

[\*362.]

trators, and against all & euery other person and persons whomesoeuer, clajming any right, title of interest therein, wee will warrant, mainteyne, and for euer defend by these presents, and will, at any time or times hereafter, vpon demand of the sajd Willjam Stoughton and Joseph Dudley, their heires or assignes, give vnto them more full and ample conveyance and assurance of the said bargained premisses, and doe any further act or acts, thing or things, deuice or deuices in the law whatsoeuer, for the better confirming and most sure making of the same, according to the true intent and meaning of these presents. In wittness whereof, wee, Waban, Pyamboho, John Awasamog, Thomas Awasamog, Sam Awasamog, John Awasamog, Jun<sup>r</sup>, Anthony Tray, \*John Tray, Peter Ephraim, Nehemiah, James Rumney Marsh, Zackary Abraham, Sam Neancit, Symon Sasomit, Andrew Pittome, Eleazer Pegin, John Maquaw, James Printer, James Accompanit, Joseph Milion, Elisha Milion, and Cocksquannion, haue herevnto sett our hands & scales, this tenth day of February, anno Domini one thousand six hundred eighty one, and in the fower & thirtjeth yeare of the reigne of our soueraigne lord, King Charles the Second, ouer England, &c<sup>a</sup>.

Signed, sealed, & deliuered in psence of vs,  
 Samuel Rugles, Señ,  
 Daniel Morse,  
 Sam Gookin,  
 John Allen,  
 Obadiah Morse.

WABAN, **X** his mark, & scale,  
 PYAMBOHO, **θ** his m<sup>r</sup>ke, & seale,  
 JOHN AWASAMOG, **O** his m<sup>r</sup>k, & seale,  
 SAMUEL AWASOMOG, **∞** his m<sup>r</sup>k, & a seale,  
 SAMUEL BOMAN, **ℓ** his m<sup>r</sup>k, & a seale,  
 JOHN AWASAMOG, **✕** his m<sup>r</sup>ke, & a seale,  
 ANTHONY **ℵ** TRAY, his m<sup>r</sup>ke, & a seale,  
 THOMAS **ρ** TRAY, his marke, & a seale,  
 BENJAMIN **℥** TRAY, his marke, & a seale,  
 JETHRO, **β** his m<sup>r</sup>ke & a seale,  
 JOSEPH AMNION, **Jo** his m<sup>r</sup>k & a seale.  
 PETER EPHRAIM, **be** his m<sup>r</sup>ke, & a seale,  
 ANDREW PITTIME, **An** his m<sup>r</sup>k, & a seale,  
 NEHENMIAH, his marke, & a seale,  
 ZECKARY **⌒** ABRAHAM, his m<sup>r</sup>ke, & a seale,  
 SAMUEL NOANCIT, **M** his m<sup>r</sup>ke, & a seale,  
 THOMAS WABAN, **~** his m<sup>r</sup>k, & a seale,  
 GEORGE MOONISCO, **G** his m<sup>r</sup>k, & a seale,  
 ELAZER **P** PEGIN, his marke, & a seale,  
 SYMON **~~~~** SOSAMIT, his m<sup>r</sup>ke, & a seale,  
 GREAT JACOB, **∞** JACOB, his m<sup>r</sup>ke, & a seale,  
 Sigum ELISHA MILION, **O**, aljas  
 MENUNION, his m<sup>r</sup>k, & a seale,  
**O**

All the subscribers, personally appearing, acknowledged this instrument to be their act & deed, before me,

1682.

27 May.

DANIEL GOOKIN, Señ, Assistant.

This deed, on these 4 sides of y<sup>e</sup> booke, thus signed, subscribed, & sealed, stands here this recorded, being compared w<sup>th</sup> the originall.

As attests EDWARD RAUSON, Secret<sup>y</sup>.

\*To all Christian people to whom this present deed of sale shall come, [\*363.]  
greeting.

Know yee, that wee, Blacke James, aljas Walamachin, Benjamin, James, Symon Wolomp, Sasequasuck, Pompectum, Wolwononck, Papomsham, Pepagous, John Awagwon, Sosoquaw, Aquetaquash, James Wiser, James Acojocks, Walumpan, Papcunquanaut, Waumshk, Indian natives and naturall descendants of the auncient proprietors and inhabitants of the Nipmug country, (comonly so called,) and lands adjacent, within the colony of the Massachusetts, in New England, for and in consideration of y<sup>e</sup> sume of twenty pounds in currant money of New England, to us in hand, at and before the ensealing and deliuvy of these presents, well and truely paid by Willjam Stoughton, of the toune of Dorchester, Esq<sup>r</sup>, and Joseph Dudley, of the toune of Roxbury, Esq<sup>r</sup>, both within the said colony of the Massachusetts, the receipt of which valuable sume wee doe heereby acknowledge, and ourselves therewith fully satisfied, contented, and paid; and thereof, and of every parte & parcell thereof, wee, and every of us, respectively, doe exonerate, acquit, and dischargd the said Willjam Stoughton and Joseph Dudley, and either of them, their, each and every of their heires, executors, administrators, & assignes for euer, by these presents, haue given, granted, bargained, sold, aljened, assigned, enfeoffed, conveyed, and confirmed, and by these presents doe freely, fully, and absolutely give, grant, bargaine, sell, aljene, assigne, enfeoffe, convey, assure, and confirme vnto the said Willjam Stoughton and Joseph Dudley, their heires & assignes for euer, all that part of the said Nipmug country, or their tract of land scituate, lying, & being on the south part of the said colony of the Mattachusetts, beyond the great riuer called Kuttutuk, Nipmug, or Providence, bounded with the Mattachusetts patent line, as the same is now stated, on the south, and certeine marked trees, beginning at said riuer and runing south east, till it strike vpon the bounds *the* of said patent line; on the north, the said great riuer; on the east, and coming to a point on the west, all the lands lying within the said limitts or bounds, be the contents thereof more or less, \*together with all and singular

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27 May.

the rights, members, jurisdictions, wayes, riuers, waters, watercourses, springs, ponds, pooles, pasturage, herbage, feedings, comons, comodities, heredittaments, & appurtenances whatsoever in or vpon the said tract of land, or any part or parcell thereof or therevnto in anywise belonging or apperteyning, w<sup>th</sup> all woods, vnderwoods, timber, & trees whatsoever now standing, growing, lying, or being, or which hereafter shall stand, grow, ly, or be vpon the said bargained premisses, or any part or parcell thereof; and all ffishings, fowlings, huntings, heredittaments, profitts, and priuiledges whatsoever thereto belonging, or with the same now or at any time hereafter to be had and occupied and enjoyed; and all the estate, right, title, interest, vse, propriety, possession, clajme, and demand whatsoever of us, the said Blacke James, alias Walamachin, Benjamin, James, Symon Wallomp, Jasocomp, Sasequasacuck, Pomponchum, Wolowononk, Papomsham, Pepegous, John Awagwen, Sosoquaw, Aquetaquash, James Wisser, James Acojock, Wolampan, Papevnquanant, and Waumsk, and of euery of us, of, in, or to the said tract of land, or any part or parcel thereof, and priuiledges and appurtenances therewith granted, to haue & to hold the aboue granted tract of land, being part of the Nipmug country, (comonly so called,) as aboue lymited and bounded, be the contents thereof more or less, and all other the aboue granted premisses & appurtenances, vnto them, the said Willjam Stoughton and Joseph Dudley, their heires and assignes, and to their only propper vse, benefit, and behoofe from henceforth foreuer; and wee, the said Black James, alias Wolamackin, Benjamin, James, Symon Wolomp, Jascomp, Sasequesacuncke, Pompenechum, Wolowononk, Papomsham, Pepegous, John Awaguon, Sosoquaw, Aquetaquash, James Wisser, James Acojock, Wolumpan, Papevnquanant, and Waumsk, Indian natives, present possessors & inhabitants of the said Nipmug country, and naturall descendants of the auntient proprietors and inhabitants thereof, doe, for ourselues, our heires, executors, and administrators, couenant, promise, and grant to and with the said Willjam Stoughton and

[\*365.]







\*Joseph Dudley, their heires and assignes, in manner following, viz<sup>t</sup>: that, at the time of this bargaine and sale, and vntill the ensealing and deliuey of these presents, wee are the true, sole, and lawfull owners, proprietors, and possessors of the aboue bargained lands, premisses, and appurtenances, and stand lawfully seized of and in the same, in our oune propper right of a good estate of inherittance, in ffee simple, w<sup>th</sup>out any manner of condition, reuer-tion, or lymitation of vse or vses whatsoever; and that wee haue, in ourselues, full power, good right, & lawfull authority to grant, bargaine, sell, convey, and asure the aboue bargained premisses, and euery of them, vnto the Willjam Stoughton and Joseph Dudley, their heires and assignes, in manner

as is afore expressed, free and cleare, and freely acquitted and discharged of and from all former and other bargains, sales, mortgages, judgments, executions, titles, troubles, charges, aljenations, and incumbrances whatsoever; and the sajd premisses, and euery of them, the whole tract of land conteyned within the ljmitts and bounds aboue expressed, both vpland, meadowes, swamps, and wood grounds, with the libertjes, priviledges, and appurtenances thereof, vnto the sajd Willjam Stoughton and Joseph Dudley, their heires & assignes, against ourselues, & euery of us respectively, each & euery of our respective heires, execcuto<sup>r</sup>s, admīstrato<sup>r</sup>, & assignes, all & euery other person and persons whomsoever clajming any right, title, or interest therein, wee will warrant, maintejne, and foreuer defend, by these presents, reserving alwayes vnto ourselues, our heires & assignes, out of the abouesajd grant, a certejne tract of land of fīue miles square, in such places, or contents of fīue miles square, in such two places as wee shall choose, to be wholly at our oune vse and dispose; and further, wee doe covenant and promise, at any time or times hereafter, vpon demand of the sajd Willjam Stoughton and Joseph Dudley, their heires or assignes, to give and passe vnto them more full and ample convayance and assurance of the aboue granted premisses, and to doe any other act or acts, thing or things, deuice or deuices in the law whatsoever, for the better confirming and more sure making the same vnto them, according to the true intent and meaning of these presents. \*In witness whereof, wee, Blacke James, alias Wolamachin, Benjamin, James, Symon Wolomp, Jascomp, Sasaquesasuck, Pomponechum, Wolowonock, Papomsham, Pepogous, John Awagwon, Sosoquaw, Aquetaquash, James Wiser, James Acojock, Wolumpan, Papevnanant, & Waunshk, haue here vnto put our hands and seales, this tenth day of February, anno Domini one thousand sixe hundred eighty one, and in the foure & thirtieth yeare of the reigne of our soueraigne lord, King Charles the Second, ouer England, &cā.

1682.

27 May.

[\*366.]

Signed, sealed, & deliūd	BLACK  JAMES, & seale,
in the presence of vs,	SEAN  JACO, & seale,
Willjam Parke,	BENJAMIN,  & seale,
Isaac Newell,	SYMON <b>LO</b> WOLOMP, & seale,
Jn <sup>o</sup> Gore,	WOLOWO  NONCK, & seale,
Sañ Rugles, Señ,	POPOM  SHANT, & seale,
Samuel Rugles, Juñ,	PE <b>PEG</b> PEGOUS, & seale,
Peter <sup>his m<sup>k</sup></sup>  Gardiner,	COTOOSONK <b>COT</b> , son of, & seale,
Ralph Brodhurnst,	WELOMPAW, by his order,
	WABEQUALA <b>Wab</b> his m <sup>k</sup> ke, & seale,
	SIBEQUAT, <b>S</b> his mark, & seale,





\*To all Christian people to whom these presents shall come, Willjam Stoughton, Esq<sup>r</sup>, of Dorchester, and Joseph Dudley, Esq<sup>r</sup>, of Roxbury, in the county of Suffolke, w<sup>th</sup>in the Massachusets colony of New England, send greeting. Whereas the sajd Willjam Stoughton & Joseph Dudley lately purchased of Waban and company, Indian natives, & naturall descendants of the anntient proprietors and inhabitants of the Nipmug country (co<sup>m</sup>only so called) and lands adjacent, within the sajd Massachusets colony, all that part of the sajd Nipmug country, or their tract of land scittuat and lying beyond the great riuer Kuttutuk, or Nipmug Riuer, and betweene a range of marked trees, begi<sup>n</sup>ing at the sajd riuer, and runing south east, till it fall vpon the south l<sup>j</sup>ne of the s<sup>d</sup> Massachusets colony, on the south, and a certeine imaginary l<sup>j</sup>ne, fowr miles, on the north side of y<sup>e</sup> road, as it now lyeth, to Springfield, on the north; the sajd great riuer of Kuttutuk, or Nipmug, on the east, and the sajd patent l<sup>j</sup>ne on the westward; all the lands lying w<sup>th</sup>in the sajd limitts, or bounds, be the contents thereof more or less; and also purchased of Black James, aljas Walamachin, and company, Indian natives, and naturall descendants of the anntient proprietors and inhabitants, likeuise of the sajd Nipmug country, all that part of the sajd country, or their tract of land scituate, lying, and being on the south part of the sajd Massachusets colony, beyond the great riuer, called Kuttutuk, Nipmug, or Prouidence, bounded w<sup>th</sup> the Massachusets patent l<sup>j</sup>ne, as the same is now stated, on the south, and certejne marked trees, begi<sup>n</sup>ing at s<sup>d</sup> riuer, and runing south east vntill it strike vpon the sajd patent l<sup>j</sup>ne on the north, the sajd great riuer on the east, and coming to a point on the west; all the lands lying within the sajd limitts or bounds, be the contents thereof more or lesse, reserving only out of the sajd last purchase vnto the sajd Indians, their heires and assignes, for-euer, a tract of land of five miles \*square, in such place *in such place*, or contents of five miles square in such two places as they should choose, with all and singular the rights, members, jurisdiction, wayes, riuers, waters, springs, ponds, pooles, fishing, fowling, hunting, pasturage, herbage, feedings, co<sup>m</sup>ons, commoditjes, proffitts, hæredittaments, and appurtenances to the sajd tracts of land, and either of them, belonging or apperteyning; and all woods, vnder-woods, timber, and trees whatsoever, now standing, growing, lying, or being, or which hereafter shall stand, grow, lye, or be, vpon the sajd premisses, or any of them, according to two seuerall decds of sale vnder the hands & seales of the sajd Indeans respectively, bearing date the tenth day of February, 1681. Now, know yee, that wee, the sajd Willjam Stoughton and Joseph Dudley, for and in consideration of the sume of fifty pounds current money of New England, (the price by vs given for the purchase of the aboue mentioned

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[\*367.]

[\*368.]

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27 May.

tracts of land,) to vs well & truely repajd, by order of the Goũno<sup>r</sup> and Company of the ſd Massachusetts Bay, in New England, haue granted, bargained, sold, alined, assigned, enfeoffed, and confirmed, and by these presents doe fully and absolutely grant, bargaine, sell, aljene, assigne, enfeoffe, and convey, confirme, vnto Symon Bradstreet, Esq<sup>r</sup>, Goũno<sup>r</sup> & Company of the Massachusetts Bay, aforesajd, both the aboue mentioned tracts of land, scittuate & lying in the Nipmug country, bounded as aboue sajd, w<sup>th</sup> all and singular the rights, members, jurisdictions, riuers, waters, ponds, pooles, fishings, huntings, coũons, coĩmoditjes, hæredittaments, and appurtenances thereto belonging; and all woods, vnderwoods, timber, & trees whatsoever, standing, lying, or growing, or to stand, lye, or grow thercon; and all their estate, right, title, clajme, & interest therein, in as full and ample manner & sort as was granted vnto them by the respective companyes of Indians aboue named, reserving to the sajd Indians, as aboue is reserved, to haue and to hold both the sajd tracts and parcells of lands conteyned w<sup>th</sup>in the bounds & ljmitts aboue expressed, only w<sup>th</sup> the reservation aforesaid; and all other the premisses, rights, libertjes, and priuiledges therewith granted vnto the sajd Symon Bradstreet, Esq<sup>r</sup>, Goũno<sup>r</sup>,

[\*369.] his successo<sup>r</sup>s in that place, and Company of the Massachusetts \*Bay, aforesajd, and their assignes for euer, to the only propper and absolute vse, bennefit, & behooffe of the Gouverno<sup>r</sup> & Company of sajd Massachusetts Bay, and their assignes from henceforth foreuer; and the sajd Willjam Stoughton and Joseph Dudley, for themselues, their heires, execcuto<sup>r</sup>s, and administrato<sup>r</sup>s, doe heereby couenant and promise, to and with the sajd Symon Bradstreet, Gouverno<sup>r</sup>, his successors and Company aforesajd, and their assignes, that by virtue of the purchase made by them of the sajd seuerall tracts of land from the Indian natives, descendants of the anntient inhabitants, and proprietors thereof, confirmed by full and compleat deeds and conveyances, vnder the hands and seales approved of by the Gennerall Court of the sajd Massachusetts, at their sessions, 15<sup>th</sup> February, 1681, they, the sajd Willjam Stoughton and Joseph Dudley, stand lawfully seized of the aboue granted premisses, and are vested with a full & legall title therevnto in their oune propper right, being lawfully impowered to grant, convey, & assure the same, as aboue sajd; and the sajd bargained premisses vnto the sajd Goũno<sup>r</sup>, his successors and company, aforesajd, and their assignes; they will by these presents warrant and defend against themselues, their heires, execcutors, administrators, and other person & persons whomsoever clayning, from, by, or vnder them, excepting alwayes, and with the allowance & grant of the Gennerall Court, reserving to each of themselues, their heires, &câ, a farme of one thousand acres of land a peece in any part of the sajd tracts of land now

purchased, where they shall see meete. In wittness whereof, the said Willjam Stoughton, Esq̃, and Joseph Dudley, Esq̃, haue herevnto sett their hands and seales this eighteenth day of May, anno Dom<sup>ni</sup> one thousand sixe hundred eighty and two, annoq̃ R. R<sup>s</sup> Carolj Secundj Angljæ, &c̃a, xxxiiij.

1682.

27 May.

W<sup>m</sup> STOUGHTON, & a seale.

Signed, sealed, &amp; deliuered

JOSEPH DUDLEY, &amp; a seale.

in the presence of vs,

Th<sup>o</sup> Hinckley,

John Richards,

Daniel Gookin, Señ,

Samuel Nowell,

Is<sup>a</sup> Addington.

This deed stands thus entred & recorded word for word, compared w<sup>th</sup> the originall in the Geñrll Court booke of records, by their order, 24<sup>th</sup> May, 1682.

As attests

EDWARD RAWSON, Secre<sup>t</sup>.

\*God hauing incljned mercifully the hearts ^ our worthy messengers to [\*370.] vndertake a voyage for England, vpon the account of the publicq concerns of the country, this Court, considering how plaine the direction of the word of God is for the reco<sup>m</sup>ending such weighty affaires, by solemne humilliation & prayer to the God of heauen, —

Doe therefore order or appoint the twenty second of June instant to be obserued & kept as a day of solemne fasting and prayer to God, that he would be pleased to p̃serue and prosper our freinds in this their weighty vndertaking vpon our account, the consequents of which both wee and our posterity are like to be so much concerned in; and that it would please the Lord to give us a spirit of repentance & returning vnto God, that he may diuert those euills or judgments, which, through our sinns, the Lord hath justly brought vpon us in part, and much more is still apparently impending. For these ends this Court doe reco<sup>m</sup>end it to the elders and ministers throughout this colony to prepare themselues for it, and doe require all people to take due notice of it, forbearing all servile labour, and to attend the worship of God vpon y<sup>e</sup> day.

22 June a fast,  
& was p<sup>re</sup>ted.



1682.

*\*At a Gennerall Court, held at Boston, 11<sup>th</sup> October, 1682.*

11 October.

[\*371.]

PRESENT, Symon Bradstreet, Esq̃, Goṽ,  
 Thō Danforth, Esq̃, Dep<sup>t</sup> Goṽ,  
 Daniel Gookin,  
 Daniel Dennison,  
 John Pynchon,  
 W<sup>m</sup> Stoughton,  
 Peter Bulkley,  
 Nathā Saltonstall,  
 Humphrey Davy, } Esq̃s.  
 Samuel Nowell,  
 Jn<sup>o</sup> Hull,  
 James Russell,  
 Barthō Gidney,  
 Samuel Apleton,  
 Robert Pike,

No credit to be  
 given to marri-  
 ners w<sup>thout</sup>  
 consent of y<sup>e</sup>  
 master or co-  
 mander.

**F**OR the prevention of great trouble and inconvenience that often befall  
 masters & commanders of ships and other vessells, by reason of their  
 men runing themselves into debt to seuerall persons in the ports where they  
 arive, and not being able to dischargd their sajd debts, are restreyned or im-  
 prisoned for the same, to the great hinderance and prejudice of the comāders  
 and ounors of such ship or vessell, it is therefore ordered and enacted, that  
 after the publication hereof, no person whatsoever doe trust or give credit to  
 any marriner or seaman belonging to any ship or other vessell arriving from  
 forreigne parts, without the knowledg and consent of their master or  
 comāder, nor shall any process or attachment be granted against any seaman  
 or marriner for debts and engagements made as aforesajd; and if through  
 any carelesness or mistake in any officer, any such process or attachment be  
 granted, it shallbe esteemed voyd in law.

No attachm<sup>ts</sup>  
 to be gr<sup>ed</sup> ag<sup>st</sup>  
 ships or m<sup>rs</sup>  
 from foreigne  
 parts, nor to a  
 strainger ag<sup>t</sup> a  
 straing<sup>r</sup> before  
 caution.

As an addition to the law, title Attachments, it is ordered by this Court  
 & the authority thereof, that after the publication hereof, no strainger shall  
 haue any process or attachment granted against a strainger, before the plain-  
 tiff give in sufficejnt caution or security to respond all costs & damages that  
 shall be judged against him; nor shall any ship or other vessell arriving from  
 forreign parts, or the master or comāder thereof, be arrested or restrayned  
 w<sup>thout</sup> like sufficient caution or security given by the plaintiff to respond all  
 costs & damages, as aforesajd.

Whether the constable of a toune, to which any peculiar is annexed for the payment of publick charges, may act as a constable in such peculiars as he may in sajd toune. The Court resolves this question in the affirmatiue.

1682.

11 October.

Resolution of  
y<sup>e</sup> quest. ab<sup>t</sup>  
constables  
power, &c.

[\*372.]

Law for regu-  
lating idle per-  
sons.

Whereas there are in sundry of our touns, & especially in Boston, many idle persons in families, as well as other single persons, who are greatly, if not altogether, negligent in their particullar \*callings, and some that doe not follow any lawful imployment for a liuelyhood, but mispend their time and that litle which they earne to the impouerishing, if not vtter vndoing, of themselves and families, for prevention whereof, it is ordered by this Court and the authority thereof, that the tythingmen in each toune shall inspect all such families and persons, and speedily retorne their names to the selectmen of the toune where they dwell, who shall forthwith retorne to the next magistrate, & (if in Boston) to any of the magistrates or comissioners there, who are heereby impowred to issue out warrants to the constable of the respective tounes to require such person or family to worke in or about any imployment they are capable of in the toune or place where they resyde, and if they refuse to be regulated, as aforesajd, then to be sent by sajd authority to the house of correction, and there receive according to the orders of that house, and kept to worke; and that such persons and families may be provided for, it is ordered, that all their cleare earnings shall (by sajd selectmen or their order) be lajd out in necessaries suitable for them or their families vse and releife, and that their wages shall from time to tyme be stated by sajd selectmen; and if any person or persons shall thinke themselves wronged thereby, they may complaine to the County Court for releife.

The Court, on the 24<sup>th</sup> day of May last, taking into consideration the frequent exportation of our New England cojne out of the countrey, whereby comerce and trade is very much obstructed, as an epedient to keepe money in the countrey, did order, that all peices of eight, as pillar Sevil and Mexico coyn, that are good siluer, should pass amongst us as currant money of New England, according to their weight in the present New England coyn. As an explanation of that law, it is to be vnderstood, and it is heereby declared, that those peices of eight in the law mentioned shallbe paid and received at sixe shillings eight pence p ounce troy weight, and all smaller peeces of the like coyn that are good siluer shall passe at the same price & weight.

At w<sup>t</sup> rate  
peices of eight  
to passe.

\*This Court, being informed by the Right Honno<sup>r</sup><sup>ble</sup> the Earle of Frontineac, governo<sup>r</sup> of Canada, and Mounseier De la Valier, governo<sup>r</sup> of Accadie, that seuerall of the inhabitants of this colony haue comitted irregularitjes in their trading, making of fish, and fetching of coales within the territories belonging to the French, contrary to the treaty and rattification of the articles

[\*373.]

Courts declara-  
tion ag<sup>t</sup> inhab-  
itants trading  
in y<sup>e</sup> p<sup>r</sup>ecincts  
of Canada &  
Accadie w<sup>th</sup>out  
licenc.

1682.

11 October.

of peace concluded at Breda, betweene the crounes of England and France, for the prevention of the like practice for the future, and the preservation of a good correspondence betweene our neighbours of Canada and Accadie, aboue mentioned, and ourselues, it is hereby declared, that this Court doth not allow and approove of any such irregularitjes, and that all persons so offending are liable to the pœnaltjes and forfeitures provided against them by the lawes of those governments where such offences shall be comitted.

Swyne to be  
ringed on pœn-  
alty, &c.

As an addition to former lawes about swyne, it is ordered by this Court and the authority thereof, that all swyne going at liberty shallbe constantly ringed, sufficiently to prevent their rootings, vpon the penalty of sixe pence on euery swine, in money, to be pajd as a fine, the one halfe to the vse of the toune where such swyne doe roote, the other half to the informer, to be levyed by warrant from the selectmen, besides all damages don in cõmons or proprietjes, fenced or not fenced, any law, vsuage, or custome to the contrary notwithstanding.

Goods dam-  
aged to be sur-  
veyed, &c.

In case of damage of goods-on board of any ship or other vessell arriv-  
ing here, where there is any need of surveying, as is vsually practiced, it is hereby ordered and enacted, that there shallbe suitable persons appointed in the seuerall sea port townes of this jurisdiction as surveyo<sup>rs</sup>, who shallbe sworn to the faithfull dischargd of that trust, & be called as often as there is occasion to vejw such goods as are damified before they be vnstowed, or any two of them, who are to make a retorne vnder their hands to the persons concerned, if they desire it, who are to be satisfied by the master of the sajd ship or vessell that imployes them; and the persons appointed to performe this trust in the seuerall townes are, for Boston, M<sup>r</sup> Christopher Clarke, M<sup>r</sup> John Faireweather, M<sup>r</sup> Timothy Prout, Señ; for Charls Toune, Cap<sup>t</sup> John Long, M<sup>r</sup> John Trumble, M<sup>r</sup> Eljas Row; for Salem, M<sup>r</sup> John Broune, M<sup>r</sup> John Hardy, Senio<sup>r</sup>, Cap<sup>t</sup> Richard Moore; for Marble Head, Cap<sup>t</sup> Samuel Ward, Ambrose Gale, Richard Reith; & for Newbrey

[\*374.]

And the persons to be appointed for this service \*be chosen from time to time, yearly, by the inhabitants of such townes as aforesajd, who haue liberty to make choice of other officers.

Lands or  
grants to be  
surveyed only  
by surveyors  
on oath.

This Court doth order, that no countrey grants of land shall hencforth be lajd out but by some knowne, able, and approoved person, whom this Court shall appoint, who shallbe vpon oath to act faithfully in that worke, and make retorne vnder their hands of all such land lajd out by them, w<sup>th</sup> the quantity, in a faire draught or plat, together w<sup>th</sup> the quality, as neare as they can, in pursuance of this order.

This Court apoints & allows of Cap<sup>t</sup> Elisha Hutchinson, M<sup>r</sup> Jonathan

Danforth, M<sup>r</sup> John Flint, M<sup>r</sup> Samuel Andrews, M<sup>r</sup> David Fiske, M<sup>r</sup> Willjam Carr, M<sup>r</sup> Joseph Hauley, and M<sup>r</sup> Samuel Marshfeild to be surveyo<sup>r</sup>s, any one of them to lay out such countrey lands as any person haue had, or shall haue grants from this Court; and the sajd persons shall take this following oath at some County Court, before they act in surveying any such lands: —

1682.

11 October.

Yow sweare by the great name of the euerljving God, that yow will faithfully and impartially, according to yo<sup>r</sup> best skill, survey and measure such grants of land that are made by the Gennerall Court to any person or persons within this jurisdiction, and present a faire draught and plat of such lands to this Court therewith, certifying the quality, as *as* neere as yow can vnderstand it, as well as the quantity of sajd lands, all which yow shall make returne of to this Court vnder yo<sup>r</sup> hands. So helpe yow God.

Surveyors  
oath.

Whereas it often falls out that men make bargaines and sales of land, and some time receive part or all the pay for the same before the deeds of sale are perfected according to law, the grantee confiding in the fidelity of the person that sells, and after that the grantor djes, —

It is hereby ordered and enacted, that it shall be lawfull and in the power of the County Court where the land ljes (the bargain being legally proved to the satisfaction of the Court) to impower the next heire, or executor, or admiñstrator to the estate to draw or signe deeds of sale for the same.

County Courts  
power to im-  
power heirs,  
execcu<sup>s</sup>, ad-  
m<sup>tr</sup> to make  
deed of sale.

It is ordered by this Court and the authority thereof, that all informers of the breach of law by vnlicensed person or persons whatsoever to any Court, making prooffe thereof, shall hencforth haue one cleare third part of the fine imposed and received for such breach.

Inform<sup>r</sup>s of  
breach of law  
by vnlicens<sup>d</sup>  
p<sup>r</sup>sons to haue  
a 3<sup>d</sup> p<sup>t</sup> of y<sup>e</sup>  
fine, &c.

\*Whereas it is informed that seuerall constables haue not made vp their accompts with the Treasurer, and that there is much of the last yeares rate yet vnpaid, this Court doth order, that what is so vnpaid be paid in according to the valuation of all sorts of corne made this present Court.

[\*375.]

Itt appearing a greivance among us that sundry gentlemen, merchants and others, hauing great tracts of land bounded out to them in propriety, pay not to publicke charges, although they haue a considerable profit to themselues by the continuall rise of the estimate of sajd lands, for the easing whereof, it is ordered by this Court, that all lands circumstanced as is aboue premissed shall, in the levy now to be made by this present Court, for payment of the countrey debts, pay vnto the Tresurer of the country two shillings money for euery hundred acres, and in like proportion for lesser quantitijs. And it is

Addition to law  
of rates as to  
lands in y<sup>e</sup>  
woods, &c.



1682.

11 October.

ordered, that the selectmen of euery toune and peculiar w<sup>th</sup>in this jurisdiction, some time in the month of November next, shall assess all lands within their toune bounds liable to be rated by this order, and also to assess all countrey rants of lands called farmes belonging to peculiar persons, that lye neerest vnto such toune or townes, and to draw vp faire lists of the sajd assessments, with the names of the persons, and quantitjes of lands assessed, and deliuer the sajd lysts to the comissioners chosen to examine this yeares rates, who are required to meet at the shire toune the second Tuesday of December next, who are ordered carefully to examine the sajd lysts & assessments, and transmit the same with all speed to the Treasurer of the country, being perfected, & subscribed with their names. And the Treasurer is required to issue forth his warrants to the constables of the seuerall townes, to collect for such lands as lye in their bounds, and to the marshall gemerall or marshall of the county to collect for such lands as lye w<sup>th</sup>in any toune bounds, who shall collect the same, and returne it to the Tresurer, as the law directs.

And it is further ordered, that the sajd comissioners give in to the Treasurer the number of the troopers in their respective townes, and he to grant out warrants to the selectmen to assess, and the constables to collect, what may arise to be due to the countrey vpon the duplication of rates for this present yeare. And for the better effecting of this order about the rating of vnimproved lands, —

[\*376.]

It is ordered by this Court, that the major gennerall, Captajn Fisher, \*Cap<sup>t</sup> Elisha Hutchinson, & Leu<sup>t</sup> Jonathan Danforth, together w<sup>th</sup> the secretary, to be a comitte<sup>e</sup> forthwith to examine the Court records, and returnes of all grants of farmes, and out lands lajd out w<sup>th</sup>out the bounds of any towneships, who are ordered and desired to make a lyst of all out lands they can by any meanes gaine the knouledge of as to the quantity of the same, and to whom at present they doe belong, and where they doe lye, and to transmitt the same lists vnto the country Treasurer, that they may be added to and compared with the seuerall country lysts, that so no lands may be omitted or twice entred. Major John Pynchon & Leiu<sup>t</sup> John Smith, in Hampshire, are appointed to doe the like, and make like cirtificat. And that the Treasurer forthwith send forth his warrants to the selectmen of each toune accordingly.

Prizes of all  
sorts of corn to  
be p<sup>d</sup> in y<sup>e</sup>  
country rate.

The Court, vpon y<sup>e</sup> vejw of the calculation of y<sup>e</sup> ballance of the coun-  
trys acco<sup>t</sup>, p<sup>s</sup>ented by the Tresurer, & what may be needfull for our agents,  
do, and hereby it is ordered by this Court & authority thereof, that there shall  
be three single country rate payd this yeare, viz<sup>t</sup>, two rates in country pay, &  
one in money, and all sorts of corne payd in the country rates to be as follow-  
eth: wheate at five shillings six pence, rye at four shillings, Indian at three

shillings, pease at fower shillings sixe pence, barly & barly mault at three shillings sixe pence, oates at two shillings p bushell, all good and merchantable, well winnowed corne, and that all barly be brought in before the first of Aprill; & all other things paid in the countrey rate to be pajd at money price provided no leane catle or horses be pajd in sajd rates.

1682.

11 October.

The Court order a day of thanksgiving to be kept throughout y<sup>s</sup> jurisdiction y<sup>e</sup> 23 November next, for the blessings of the yeare, peace, &c, our agents or messengers preservation, &c; w<sup>ch</sup> was sent to y<sup>e</sup> press & printed, & kept accordingly.

23 Nove. a day of thanksgiv<sup>ng</sup>.

It is ordered, that the Tresurer make payment vnto M<sup>r</sup> Joseph Dudley & M<sup>r</sup> John Richards, or to their order, fifty pounds a peece money, and is in part satisfaction for their present service for y<sup>e</sup> publick.

M<sup>r</sup> Dudley & M<sup>r</sup> Richards recompence, &c.

In ans<sup>r</sup> to the petiçōn of Isaack Waldron, the Court grants the petiçōner a hearing of his case mentioned in his petiçōn on the 1<sup>st</sup> Tuesday of the next Court of Election, at eight of the clocke in the morning, and that notice be given to all partjes concerned to attend their concerne therein at the time.

Ans<sup>r</sup> to Isa<sup>c</sup> Waldrons petiçōn.

In ans<sup>r</sup> to the petiçōn of James Bayly, Thomas Baker, & Thomas Putnam, Juñ, the Court judgeth it meet to referr the due consideration of what is exprest in s<sup>d</sup> petiçōn to the next Court at Salem, when all partjes may be heard, and justice may be don to all concerned.

Ans<sup>r</sup> to James Bayly, Tho. Baker, &c, petiçōn.

\*In answer to the motion of the toune of Hingham, M<sup>r</sup> Daniell Cushin is hereby empowred to marry such person as shall desire it, being legally published, & one of the partjes at least l<sup>iv</sup>ing in sajd toune of Hingham, and also that he haue power to adm<sup>n</sup>ster oathes in all civil & criminall cases.

[\*377.]

M<sup>r</sup> Dani Cushin impowred to marry, &c.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Joseph Hills, bereaved of his sight for seuerall yeares, &c, the Court judgeth it meet to order, that the petitioner be freed from country & county rates during his life.

M<sup>r</sup> Joseph Hills freed from country & county rates.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Richard Lord, of Hartford, it is order<sup>d</sup>, that the Tresurer of the country pay vnto y<sup>e</sup> petiçōner the sume of eleven pounds fueteen shillings & fower pence in or as money, provided that if the whole or any part of the so<sup>m</sup>e be chardged in the account of Jn<sup>o</sup> Hull, Esq<sup>r</sup>, that then the Tresurer charge the same, either whole or part, as aboue<sup>s</sup>d, vnto the account of Jn<sup>o</sup> Hull, Esq<sup>r</sup>, as p<sup>t</sup> of what was ordered him for balance of his account w<sup>th</sup> the country.

Ans<sup>r</sup> to Cap<sup>t</sup> Lords petiçōn, &c.

Whereas there is about 50 souldjers at Sherborne, and in probabillity they will encrease to a greater number in short time, and they hauing no higher officer then a serjant, it is therefore orderd by this Court & the authority thereof, that Serj<sup>t</sup> Edward West be leiften<sup>nt</sup> to the sajd company, & Jonathan Morse ensigne; & they are to choose two serjants, a drummer, & clark for

Edw<sup>d</sup> West leif<sup>t</sup>, Jn<sup>th</sup>an Morse ensig<sup>r</sup>, to compa. at Sherborne. Sherborn to belong to Major Gookins regim<sup>t</sup>.

1682.

11 October.

Mr W<sup>m</sup> Hubbard's gratification for compiling a history.

[\*378.]

Ans<sup>r</sup> to Mr Hez. Vsher's petition.

Ans<sup>r</sup> to W<sup>m</sup> Haukin's petition as to Edw. Bircham's p<sup>t</sup> in Lynn.

Ans<sup>r</sup> to Colonel W<sup>m</sup> Crowne's petition as to his recompence.

Ans<sup>r</sup> to Roger Billings's petition.

the said company, according as the law directs; & that the said company doe belong to the regiment of Major Gookin, & y<sup>e</sup> secretary is ordered to issue both commissions for them.

Whereas it hath bin thought necessary, & a duty incumbent vpon vs, to take due notice of all occurrences @ passages of Gods providence towards the people of this jurisdiction since their first arrivall in these parts, which may remaine to posterity, and that the Reuerend Mr William Hubbard hath taken paynes to compile a history of this nature, w<sup>ch</sup> the Court doeth with thankfullnes acknowledge; and, as a manifestation \*thereof, doe hereby order the Treasurer to pay vnto him the some of fuetty pounds in money, he transcribing it fairely into a booke, that it may be the more easely perused, in order to the satisfaction of this Court.

In answer to the petition of Mr Hezekiah Vsher, in behalf of himself & comp<sup>a</sup>, it is ordered, that the Tresurer make vp what he hath already paid Mr Vsher, to be one hundred fifty two pounds three shillings & fower pence money, w<sup>ch</sup> not being down, as was then allowed, in October, 81, this Court doe now order, that what rest due of the said sume be paid to the petitioner, w<sup>th</sup> nine pounds for interest, and that it all be paid out of the first mony the Tresurer receives.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Hawkins, it appearing that Edward Bircham, late of Lynn, deceased, had a tract of land granted him by the town of Lynn, to the quantity of thirty acres, which doth not appeare to be laid out in any other part of the town bounds, this Court doth order, that Cap<sup>t</sup> Richard Walker, Cap<sup>t</sup> Elisha Hutchinson, and Mr Andrew Mansfield be requested, & are by this Court impowred, to make further inquiry into said matter, and to cause the tract of land mentioned in the petition to be measured by a surveyor of lands, & to make report thereof to the next Gennerall Court.

In answer to the petition of W<sup>m</sup> Crowne, Esq<sup>r</sup>, presented to the Go<sup>v</sup>no<sup>r</sup> & council, & now presented to the Generall Court, the Court hauing againe perused Colonel W<sup>m</sup> Crowne his petition in all respects, and considering in the season mentioned his service to & for the country, together w<sup>th</sup> his condition, judge meet to order the Tresurer of the country to pay him, as a recompence for the same, fuetene pounds money, defaulting the five pounds the council lent him, to be returned; and for what he mentions as to Mendon, in relation to his mortgage, the Court declares that the law is open for him, the bennefit whereof he may expect.

In ans<sup>r</sup> to the petition of Elisha Menunion, W<sup>m</sup> Ahauton, & Joseph Moumition, Indians, the Court judgeth it meet to allow of William Menun-

nions sale vnto Roger Billings, so farr as the quantity of seven hundred acres of land next to our southerly līne, to be lajd out in a conveinent place & forme. 1682.

11 October.

\*In ans<sup>r</sup> to the petition of John Sears, the evidences & pleas in the case as they haue binn seuerally presented being considered, it doth appeare the said petitioner is a just creditor to the estate left by his late uife, for charges expended vpon John Elljot, and that the executors of said Hesther Sears did come to agreement w<sup>th</sup> said petiōner for the payment thereof, part whereof doth not appeare to be deliuered to him, & the bed w<sup>ch</sup> he received, and was part of his pay agreed for, was, by judgment of Court, recouered by John How; and although said petiōner did weakely, in his oune wrong, deliuer said bed to said John How, and so could not by cōmon law be releived, yet it appeareth to be both equall and just, that by this superior Court said Sears should be releived. The premisses considered, this Court doth order, that the value of said bed & bedding which said How recouered by law, & received of said Sears, together with the value of his uiues cloathing, w<sup>ch</sup> he contracted with the excecutor to haue, & did not receive, shall be made good to him; and for a full determination of this matter, it is referred to the County Court of Midlesex to heare the pleas and evidences of both partjes in said case, & to determine the same finally, prouided alwayes the excecutor of said Hesther Sears shall not be ljable to respond said issue further then the estate of said Hesther Sears shall be bound. [\*379.]

Ans<sup>r</sup> to John  
Sears petiōn.

In ans<sup>r</sup> to the petition of Hugh March, the Court being credibly informed that the petitioner hath binn, & still like to be, a great sufferer by being disappointed of keeping a house of publick enterテインement, he hauing binn encouraged thereto by the toun of Newbery, and others concerned, & therevpon lajd Ans<sup>r</sup> to Hugh  
March peti-  
tion.

Vpon a motion made in behalfe of M<sup>r</sup> John Woodbridge, of Newbery, this Court judgeth it meet to allow him the priuiledge that other teaching elders haue as to freedome from rates, so long as he shall be employed in constant preaching. M<sup>r</sup> J<sup>n</sup> Wood-  
bridg his grati-  
fication.

In ans<sup>r</sup> to the petiōn of Thomas Pearce & Henry Gernsey, the Court judgeth it meet to referr the consideration & determination of what is herein desired to the County Court for Suffolke. Ans<sup>r</sup> to Tho.  
Pearce & Hen-  
ry Guernseys  
petiōn.

\*In ans<sup>r</sup> to the petiōn of Thomas Woolson, the Court doth not allow or approove of the return of land lajd out & mentioned in his petiōn, as judging by the platt presented much more land lajd out then is properly due. [\*380.]

Ans<sup>r</sup> to Wool-  
sons petiōn in  
the negative.

In ans<sup>r</sup> to the petiōn of Major Robert Pike, formerly presented to this Court, October, 1681, & now againe presented to this Court, Octob<sup>r</sup>, 82, it is Ans<sup>r</sup> to Major  
Robt Pikes  
petiōn., 20<sup>th</sup> al-  
lowed.



1682.

11 October.

Ans<sup>r</sup> to Hingham petition.

ordered, that the Tresurer of the country pay the sajd Majo<sup>r</sup> Robert Pike twenty pounds, & is for his expenc of time, &c, in the time of the warr.

In ans<sup>r</sup> to the petiçon of seuérall inhabitants of Hingham, the Court, taking notice of the irregular & illegall proceedings of the military foot company of y<sup>e</sup> sajd toun as to the election of their comission officers, doe declare their dissatisfaction thereuith, and doe expect the acknowledgment of their error & offence therein, and for the present do direct & orders the comission officers of sajd company to mannage the affaires thereof to all intents, till this Court take further order.

Ans<sup>r</sup> to Cambridge petition, a hearing granted on 1<sup>st</sup> Tuesday aft<sup>r</sup> y<sup>e</sup> election.

In ans<sup>r</sup> to the petiçon of the inhabitants of Cambridge, the Court judgeth it meet to referr the consideration thereof to the next Gennerall Court of Election on the first Tuesday in May of sd Court, and that the secretary give notice to the parties concerned, the selectmen for Cambridge, & the petiçoner then to appeare & attend their concernes therein.

Courts order for Salem to mount y<sup>e</sup>r great guns, &c.

The comittee of militia for Salem, their returne being read in Court, the Court judg meet that the toun of Salem doe forthwith mount all the great artillery vpon good serviceable carriages, and to provide a competent number of comon baskets, which may be suffieient, being filled, to secure those that shall be ordered to stand by sajd great gunns, if any occasion present to make use of them.

18 October.  
Colledge accounts, &c.

M<sup>r</sup> John Manning & M<sup>r</sup> Cooper presenting the colledg accounts to the comittee appointed by the Gennerall Court to inquire into their accounts as stewards of the stocke contributed for the building of the colledge, vpon their examination thereof, approoved of them as faire & honest, only the value of tenn pounds, as they judge, in najles omitted to be valued, & recomended it to the Gen<sup>ll</sup> Court to consider them for their pajnes; as for the colledg debts, they cann say nothing about them, w<sup>th</sup>out further information, and was subscribed 18 Octob<sup>r</sup>, 1682.

HUMPHRY DAVY,  
ELISHA COOKE,  
JN<sup>o</sup> WAYTE,  
SAMUEL NOWELL,  
RICH<sup>d</sup> SPRAGUE,  
W<sup>m</sup> JOINSON.

Which returne, so signed, the Court approoved of.

Attests

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

M<sup>r</sup> Sam. Apleton maj<sup>r</sup> of south regi-

[\*381.]  
ment in Ipswich.

\*Majo<sup>r</sup> Sam<sup>l</sup> Apleton is appointed serjant majo<sup>r</sup> of the south regiment in Essex, and the former settlement by this Court is confirmed.

In the case depending between Cap<sup>t</sup> Penn Tounsens, plaintiff, & Thomas Johnson, deffend<sup>t</sup>, coming to this Court by peti<sup>c</sup>on of sajd Tounsens, the Court, on a full hearing of the case & all the evidences produced, doe finde for the defend<sup>t</sup>, Johnson, costs of Court, 9<sup>s</sup>, besides 5<sup>li</sup> for hearing y<sup>e</sup> case.

1682.

18 October.  
Courts judg-  
ment in Toun-  
sends case.

Att a Gennerall Court, held at Boston, 13<sup>th</sup> of y<sup>e</sup> first moneth, 1638, Maschannomet, the saggamore of Aggawam, acknowledged that he had received twenty pounds of Mr John Winthrop, Juno<sup>r</sup>, for all his lands in Ipswich, for which he acknowledged himselfe fully satisfied, as in y<sup>e</sup> Courts booke of reccords at that time doth appeare, first booke, page 240.

1682-3.

15 February.

As attests


EDW: RAWSON, Secret.

At a Geñll Court, held at Boston, *Febr* on the 15<sup>th</sup> day of February, 1682, Cap<sup>t</sup> Wayte Winthrop, sonn of John Winthrop, aboue mentioned, & one of his executo<sup>r</sup>s, presented the originall bill of sale to his late father from sajd Maschonnamet his hand, (Nö, y<sup>e</sup> Goñ & Magis<sup>ts</sup> y<sup>en</sup> in Court,) desiring it might be recorded, w<sup>ch</sup> being granted by the Court, is as followeth: —

I, Masconnomet, saggamore of Aggawam, doe, by these presents, acknowledge to haue received of Mr John Winthrop the sume of twenty pounds, in full satisfaction of all the right, property, and clajme I haue, or ought to haue, vnto all the land lying & being in the Bay of Aggawam, aljas Ipswich, being so called now by the English, as well as such land as I formerly reserued vnto my oune vse at Chibacko, as also all the land belonging vnto me in those parts, Mr Dummers farme excepted onely; and I hereby relinquish all the right and interest I haue vnto all the havens, riuers, creeks, islands, huntings, and fishings, w<sup>th</sup> all the woods, swamps, timber, and whatsoeuer else is or maybe in or vpon the sajd ground, to me belonging; and I doe hereby acknowledge to haue received ffull satisfaction from the sajd Jn<sup>o</sup> Winthrop \*for all former agreements touching the premisses or any part of them; and I doe heereby bind myself to make good the foresajd bargaine and sale vnto the sajd John Winthrop, his heires and assignes, for euer, and to secure him against the title and clajme of all other Indians and natives whatsoeuer. Witness my hand, this 28<sup>th</sup> June, 1638.

[\*382.]

Witnes herevnto.

MUSCONMET, his  marke.

John Joyliffe,

Thomas Coytmore,

James Douning,

Robert Harding.

1682-3. The deed aboue written, so signed & wittnessed, being compared w<sup>th</sup> the  
 15 February. originall, word for word, stands here thus entred and recorded, at the request  
 of sajd Captaine Wayte Winthrop, this 15<sup>th</sup> day of February, 1682.

As attests EDWARD RAWSON, Secre<sup>t</sup>.

[\*383.] \*At a speciall Gennerall Court, called by the hono<sup>r</sup>able Gou<sup>r</sup>no<sup>r</sup> &  
 7 February. Magistr<sup>s</sup> order to sitt in Boston on the 7<sup>th</sup> of February next, and  
 then satt, 1682-3.

5 Ja<sup>n</sup>y, 1682. PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
 Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gō,  
 Daniel Gookin, Esq<sup>r</sup>,  
 W<sup>m</sup> Stoughton,  
 Peter Bulkley,  
 Sa<sup>m</sup> Nowel,  
 Jn<sup>o</sup> Hull,  
 James Russell,  
 Bartholē Gidney,  
 Sa<sup>m</sup> Apleton,  
 Robert Pike.

Esq<sup>r</sup>s.

AT the opening of this Court, the honno<sup>r</sup>ble Go<sup>v</sup>no<sup>r</sup> acquainted the  
 Magis<sup>ts</sup> & company mett, (seuerall magis<sup>ts</sup> & deputjes from y<sup>e</sup> south-  
 ward not being able to come, by reason of y<sup>e</sup> extremity of the weather by  
 deepe snows & floods,) that he had received, by M<sup>r</sup> Foy, a letter from his  
 maj<sup>ty</sup>, w<sup>th</sup> the act of his maj<sup>ties</sup> most honn<sup>r</sup>bl council, his maj<sup>ty</sup> being pre<sup>s</sup>ent,  
 which were read & co<sup>m</sup>unicated to y<sup>e</sup> whole Court, then mett, w<sup>th</sup> another  
 letter from his maj<sup>ty</sup>, kept by M<sup>r</sup> Mason, ab<sup>t</sup> a fortnight after October Court  
 was vp, thō a copy of it, signed by M<sup>r</sup> Chamberlajne, was made publick, & ð;  
 also, our agents two letters, w<sup>th</sup> copie of M<sup>r</sup> Randolphs complaints to y<sup>e</sup>  
 co<sup>m</sup>missioners of the customes in England, w<sup>th</sup> a copie of M<sup>r</sup> Bransons com-  
 plaint to the lords of his maiestjes most honno<sup>r</sup>ble privy council, & ð, w<sup>ch</sup> are  
 not only on file, but in the councils booke recorded, word for word.

After the co<sup>m</sup>unication of the aboue mentioned, the Court judged it meet  
 to keepe the 7 day of February as a solemn day to seeke the face of God and  
 guidanc & direction from him in so weighty a matter, which was donn.

The Court mett on the 9<sup>th</sup> instant, February, & after a further pvsall & 1682-3.  
coñinication, adjourned themselues till the 14<sup>th</sup> instant, &

9 February.

When the whole Court mett, & so, from day to day, were on the due consideration & debate of and about so momentuous a discharg of their duty to God, his maj<sup>ty</sup>, and the concernes of the country, and, in fine, the Court centred their conclusion of duty in an humble address to his maj<sup>ty</sup>, coñmission & letters to our agents, a letter to the Right Honno<sup>r</sup>ble S<sup>r</sup> Lyonel Jenkin, one of his maj<sup>ty</sup>'s principall secretarys of state, w<sup>th</sup> a gennerall adresse and generall subscriptions of the inhabitants directed by way of most humble petiçón to his maj<sup>ty</sup>, all which, w<sup>th</sup> coppies of seuerall cases, as M<sup>r</sup> Keep, M<sup>r</sup> Brandsons, & seuerall others, were sent to our agents in & by M<sup>r</sup> Thomas Joells, master of ship Richard, in a box, which addresses, coñmission, instructions to our agents, & letter are at large recorded, verbatim, in the acts of the council.

It is ordered, that there be a day of humilljation kept by this Court together on Tuesday next, being the 13<sup>th</sup> of this instant February, in the toune house, at eight of the clock in the morning, and that the Reuend M<sup>r</sup> Mather & M<sup>r</sup> Willard be desired to preach, & as many of the reuind elders neighboring be by their deputjes desired to be present, to implore diuine direction and assistance in the weighty matters now before the Court.

Day of humil-  
liation to be  
kept by y<sup>e</sup>  
Court 13 Feb.,  
82.

\*Whereas by the law, title Mines, it is prouided that the fifth part of [\*384.] gold and siluer oare which is found in this colony shall be pajd to the kings majesty, his heires and *and* successors, and there being rumours of such mines found in this jurisdiction, it is therefore ordered by this Court and authority thereof, that some meet persons be appointed, from time to time, by this Court to make enquiry after such mines, and doe their vtmost endeavour that a fifth part of *of* the sajd oare be reserved for his majesty, and that they take care that his majesty may haue his just due for the same, both in quantity and quality; and it is further ordered, that if any person or persons shall make discouery of any royall mine or mines of gold or siluer, and shall improove sajd mine, or any part of it, to his oane vse and benefit before he hath given account and information to the officer that shallbe appointed as aforesajd, the person so transgressing shall forfeit the treble value thereof, and shallbe fyned ten pounds for one offence; and M<sup>r</sup> Jerremiah Dumer is appointed to be the officer till this Court take further order.

Law to prent  
all deceit by  
opening of  
mines, &c, that  
his maj<sup>ty</sup> may  
haue his due,  
&c.

As an addition to the law, title Navall Office, it is ordered, that the port of Boston, to which Charls Toune is annexed, and the port of Salem, to which Marblehead, Beuerly, Gloucester, Ipsuich, Rouley, Newbery, and Salisbury are annexed as members, are and shallbe lawfull ports in this colony,

Addition to y<sup>e</sup>  
lawe, title Na-  
vall Office.



1682-3. where all ships, & other vessells, shall lade or vnlade any of the plantations enumerated goods, or other goods from forreign parts, and nowhere elce, on pœnalty of the confiscation of such ship or vessell, with her goods, tackle, &c, as shall lade or vnlade elcewhere.

9 February.

2. That no ship, or other vessell, arriving from forreign parts, shall breake bulke before entry with the Governo<sup>r</sup> and navall officer, if they come into the port of Boston, and in all other ports not before entry with the navall officer, on pœnalty of confiscation of ship and goods; and when the masters of sajd ships or vessells are not inhabitants in this colony, then into whatsoever port they arive their entry shall be made with the Governo<sup>r</sup> and navall officer that belongs to the port where they trade.

3. That no ship, or other vessell, shall lade or vnlade any part of their cargoe in the night season that is not of the groweth of this countrey, vnless it being case of necessity, and then notice to be given to his maj<sup>ties</sup> officer vpon the place, if any be there, on pœnalty of confiscation of sajd goods.

[\*385.] 4. That no ship, or other vessell, shall take on board any of the enumerated plantation comoditjes, more then their ships store, before they haue given bond, or shew a cirtificate that they haue already given bond, as the \*act of Parljamēt requires, on pœnalty of confiscation of such ship and goods, vnless they be such as pass from port to port of our oune jurisdiction, who are then to haue a permit signed by the navall officer.

5. And for the information and *and* satisfaction of all persons concerned, it is heereby declared, that his majestjes officer hath power to seize any ship or vessell he judges forfeited to his majesty, in order to hir triall, and that he hath liberty to search all vessells that are outward bound, and to put waytors on board all ships inward bound.

6. And that the time of entring and clearing at the navall office be betwixt the howers of ten and twelue in the forenoon, and two and fower in the afternoone.

Persons pœn-  
alty to trade  
wth ships on the  
coast before  
come into y<sup>e</sup>  
harbour.

7. That no vessell of twenty tunnes and vpward, except such as fetch wood, boards, stones, or lumber, shall pass the Castle without a lett pass from the Gouverno<sup>r</sup> for the time being, if resident in Boston, and in his absenc from the Deputy Gouverno<sup>r</sup>, on pœnalty of twenty pounds.

As an addition vnto and explanation of the law, title Shipping, page 141, it is ordered by this Court and the authority thereof, that no person shall trade wth any ship or vessel ariving on our coast vntil they are brought to anchor in one of the ports assigned and appointed in the law, title An Addition to the Lawes, title Navall Office, on pœnalty and forfeiture prouided in the sajd law, title Shipping.

It is ordered by this Court and the authority thereof, that the law made 1682-3.  
October the 15<sup>th</sup>, 1673, intituled as an Addition to the Law, title Freemen,  
section the third, is hereby repealed.

9 February.

Law in page 73  
as to freemen  
repealed.

This Court, being informed that there are seuerall comission officers in  
this jurisdiction that haue not their comissions according to law, —

Comissions to  
military officers  
to be taken out  
by y<sup>e</sup> clerke of  
companjes w<sup>th</sup>-  
in one month.

It is therefore ordered by this Court, that each clarke belonging to the  
seuerall millitary companyes in this colony shall, w<sup>th</sup>in one moneth after the  
publication heereof, repaire to the secretary, and take out such comissions as  
shall be wanting, and them to deliuer to each comission officer belonging to  
their oune company as they shall be directed, and so from time ^ ^ w<sup>th</sup>in one  
moneth after any comission officer is chosen and appointed by this Court; and  
if any clerke shall neglect his duty heerein, he shall forfeit the sume of twenty  
shillings to the vse of the company.

It is ordered, that there be a day of humilliation kept by the Court 13 instant Febr  
together on Tuesday next, 13<sup>th</sup> instant, in the toun house, at eight of the  
clock in y<sup>e</sup> morning; that the Reuerend M<sup>r</sup> Mather & M<sup>r</sup> Willard preach, &  
the refund elders of the churches are desired to be present, to implore diuine  
direction & assistance in the weighty matters now before the Court.

a day of humil-  
liation kept by  
y<sup>e</sup> whole Court.

\*To the Kings most excellent Majesty.

1683.

Most gracious & dread Soueraigne: —

30 March.

[\*386.]

Courts address  
to his majesty.

Wee, your majestjes loyall & obedient subjects, the Governo<sup>r</sup> & Company  
of yo<sup>r</sup> majesties corporation of the Massachusets Bay in New England, doe  
account ourselues vnder the greatest obligations to render our most humble &  
heartly thanks, first, to Almighty God, for the preservation of your majestys  
person & government, to the vnspeakable joy & comfort of all your good sub-  
jects in your three kingdomes, and also in these your majtjes forreigne planta-  
tions, notwithstanding so many horrid treasons and execrable conspiracjes  
against the same, and, nextly, vnto your excellent maj<sup>ty</sup>, for the many marks  
of princely favour you haue beene graciously pleased to confer vpon this your  
gouernment, and particullarly in the seuerall assurances of your royall inten-  
tions to continue the same, and gracious inclinations to advance the weale &  
prosperity thereof, & more especially since the arrivall of our agents, who are  
now attending your maj<sup>ty</sup>, in your gracious condiscention to assigne vs a further  
day, and giving vs the oppertunity to testify our obedience to yo<sup>r</sup> maj<sup>ties</sup>  
comands, which, now being assembled in Gennerall Court for that very end,  
wee hope to give your maj<sup>ty</sup> a demonstration of; and wee will, in all humillitje,  
doe beseech your maj<sup>ty</sup> to beleive that, aboue all earthly things whatsoeuer,  
wee desire still to enjoy and deserve your gracious aspect towards, and good

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opinion of this your colony; and that it is a greife vnto vs beyond expression, that by any proceedings of ours, or delays in expediting those things which might be for your maj<sup>ties</sup> service, wee haue binn so offensive to yo<sup>r</sup> maj<sup>ty</sup>, what now hath binn more particularly donn by us referring to the acts of trade & navigation, and in other things, wherein wee haue had the signification of your rojall pleasure, wee humbly pray that yo<sup>r</sup> maj<sup>ty</sup> will be pleased to be informed thereof by our agents. And wee most humbly present this our sincere proffession, that as wee are abundantly satisfied in your majestjes great goodness, that yow will still ouerlooke, and not improove any of our past erro<sup>r</sup>s and mistakes, to the vacating of our charter or depriving vs of any of the priuiledges and imunitjes thereby granted to us, so wee desire not to assume vnto ourselues any thing aboute the powers therein granted; but hauing in many \*things already yeilded willing obedience, wee are further ready to make and receive all such regulations as may more fully adapt the adm<sup>in</sup>strations of your maj<sup>ties</sup> gouern<sup>mt</sup> here vnto the rules of our charter; in order wherevnto wee haue capacitated our agents humbly to attend your majesty by impowring them, according to yo<sup>r</sup> majestjes command, ffor whom wee most humbly beg your majestjes fauour, crauing that both their and our sincere desires & endcauours to give yo<sup>r</sup> majestje sattisfaction may haue a gracious acceptance, to the advancement of yo<sup>r</sup> majestjes hono<sup>r</sup>, and euidence of yo<sup>r</sup> princely clemency towards vs, and the lasting weale & prosperity of yo<sup>r</sup> maj<sup>ty</sup> most loyall & obedient subjects.

By y<sup>e</sup> Gou<sup>no</sup>r, & y<sup>e</sup> seale,

30 March, 1683.

Signed,

& by EDWARD RAWSON, Sec<sup>ry</sup>.In the name & by order of the Ge<sup>n</sup>ll Court.

Agents com<sup>is</sup>-  
sion, y<sup>e</sup> seale  
affixed, Symon  
Bradstreet,  
Gou.

The Governo<sup>r</sup> & Company of the Massachusetts Bay in New England.

To all to whom these p<sup>re</sup>sents shall come greeting. Whereas wee haue received his majestjes gracious com<sup>an</sup>ds fully to authorize & impower some meete persons to attend vpon his majesty for the regulation of this his maj<sup>ties</sup> gouernment, now know yee, that wee, the aforesajd Gou<sup>no</sup>r & Company, doe by these presents authorise & impower our trusty and well beloved freinds, Joseph Dudley & John Richards, Esq<sup>s</sup>, joyntly, and not seuerally, to attend vpon his majesty for the end afforesajd, giving vnto them full power & authority accordingly on our behalfe for the regulation of anything wherein wee haue ignorantly or thorough mistake deviated from our charter; to accept of and consent vnto such proposalls & demands as may consist w<sup>th</sup> the majne ends of our predecesso<sup>r</sup>s in their removall hither our charter, and his maj<sup>ties</sup> govern-



ment here settled according therevnto. And what they shall lawfully act and doe according to the power hereby comitted to them, wee doe by these presents, for vs and our successo<sup>r</sup>s, rattefy & confirme. In testimony whereof, wee haue caused our comon seale to be affixed this 30<sup>th</sup> of March, 1683, and in the xxxv<sup>th</sup> yeare of his maj<sup>ty</sup> reigne.

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Signed, by the Court, EDWARD RAWSON, Secre<sup>t</sup>.

\*It is ordered by this Court, that the gennerall petition and addresse of the inhabitants of this colony to his sacred maj<sup>ty</sup>, with all the subscriptions therevnto, be sent to our agents now in London, to be presented by them to his maj<sup>ty</sup>, if they think it expedient, and that this matter be intimated vnto our agents in this Courts letter vnto them, and that the same be copyed out, & left on file w<sup>th</sup> the reccords of this Court. [\*388.]

Courts order  
about the  
peoples ad-  
dresse, &c.

To the Kings most excellent Majesty.

Most gracious *gracious* drad Soueraigne: —

Wee, your majesties most dutjfull & loyall subjects, inhabitants w<sup>th</sup>in yo<sup>r</sup> maj<sup>ties</sup> colonjes of the Massachusets Bay in New England, being informed that through the ill will of some (as wee haue just cause to feare) who are not freinds to our constitution & order heere established by the charter granted by yo<sup>r</sup> royall father, of blessed memory, hath binn misrepresented, and insinuations made as if your good subjects of this your colony were vneasy vnder the same, yea, groaned by reason of the heavy burthens layd vpon them thereby, insomuch that they were generally desirous of the dissolution thereof; and least such reports and suggestions coming to yo<sup>r</sup> maj<sup>ties</sup> knowledge should make any impression vpon your royall breast, & create any jealousies therein, so as to lessen your maj<sup>ties</sup> good opinion of your sajd government, wee haue thought it our bounden duty to God, yo<sup>r</sup> maj<sup>ty</sup>, & ourselues humbly to informe yo<sup>r</sup> maj<sup>ty</sup> that yo<sup>r</sup> sajd government doth in no wise deserve such a charrecter, but hath been abundantly satisfactory to us your obedient subjects, & such as for w<sup>ch</sup> wee doe acknowledg ourselues greatly obliged to render our hearty & sincere thanks to Almighty God, and also to your sacred majesty for the continuance of the same hitherto. And, that it may yet be continued and perpetuated, wee, your maj<sup>ties</sup> loyall subjects, the subscribers, are most humble suito<sup>r</sup>s vnto your maj<sup>ty</sup>, w<sup>th</sup> all imploring your maj<sup>ties</sup> favo<sup>r</sup> in giving us leaue to declare that your majesty cann by nothing more knit and binde the hearts of us your sajd subjects to all expressions of loyalty and obedienc (which wee are resolved at all times to manifest) then by your gracious acceptance of this our address, and grant of our earnest desires therein conteyned; this

Inhabitants  
address to his  
maj<sup>ty</sup>.



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will fill our hearts w<sup>th</sup> joy & thankfulness, this will dispell & scatter those clouds of feares which are risen in the minds of very many of yo<sup>r</sup> good subjects, least they should be deprived of those libertjes and privileges w<sup>ch</sup> they hold in such high esteeme, and haue themselves and progenito<sup>r</sup>s been at so great hazard and charge, & encountred w<sup>th</sup> such extream difficultjes for the injoyment thereof. And this will further oblige vs foreuer to pray for yo<sup>r</sup> maj<sup>ties</sup> long and prosperous reigne here, and that yo<sup>r</sup> earthly crounes may at least be changed for an eternall croune of glory.

[\*389.]

Day of humil-  
liation on the  
19<sup>th</sup> of May  
next, printed.

This Court, considering the solemn warnings of Prouidence, both by signes in the heavens and the various instances & effects of divine displeasure w<sup>ch</sup> wee haue felt formerly & of late, by sword, fire, blastings, losses at sea sicknesses, & deaths of many eminent & vsefull persons amongst vs, & those difficult circumstances wee haue binn and are yet labouring vnder w<sup>th</sup> respect to our publicque affayres, as also the troubles of the people of God, & low & conflicting condition of the Protestant interest in Christendome; and knowing that our sinns against and prouocations of the Lord (w<sup>ch</sup> yet vissibly increase amongst us) are the \*procuring causes thereof, & for w<sup>ch</sup>, w<sup>thout</sup> reformation, wee may yet justly expect greater and more vni<sup>u</sup>sall calamitjes; and that the only meanes for the auerting impending judgments, and lengthening out of our tranquility are sincere humilljation & repentanc, doe therefore apoint the 10<sup>th</sup> of May next for a day of solemn humiliation thr<sup>o</sup>ut this colony, therein humbly to implore the mercy & fauour of God for ourselues heere, in respect of our sacred, ciuil, & temporall concernes, and more especially those in the hands of our agents abroad, as also for those kingdomes vpon whose welfare our oune doth so nearely depend, & for the Protestant churches and interest elsewhere. And all ministers are desired to give timely notice to their people in their respective churches & townes, that they may be the better prepared to attend vpon the worke of the day, according to the nature thereof, & the solemnne calls of God therevnto; and all people are forbidden servile labo<sup>r</sup> vpon that day.

By y<sup>e</sup> Court.

E. R., S.

Golino<sup>r</sup> letter  
to y<sup>e</sup> R<sup>t</sup> Hon-  
noble Sr Lyonel  
Jenkins, k<sup>t</sup>,  
one of his ma-  
j<sup>ties</sup> principall  
secretar<sup>s</sup> of  
state.

Right Honno<sup>r</sup>ble: —

His maj<sup>ties</sup> royall letters of the 23<sup>d</sup> of June last, solely relating to M<sup>r</sup> Masons concerns, I received about the end of November, (th<sup>o</sup> to our great wonder,) seuerall coppies thereof, attested by M<sup>r</sup> Chamberlajne, secretary of the Prouince of New Hampshire, were dispersed vp and doune some weeks, if not moneths, before. Vpon the 26<sup>th</sup> of January I received a letter

from M<sup>r</sup> Mason, wherein, according to his maj<sup>ties</sup> sajd royall letters, he did demand to be put into possession of all the comon and vnimprooved lands, the bounds of which uncerteine, saue by him pretended to be lying from three miles north of Merrimack Riuer to Navmkeage; and also forthwith to be admitted to prosecute his right to such lands, lying within the limitts of this his majestjes jurisdiction, as are now in the possession of particcular persons.

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I co<sup>m</sup>unicated M<sup>r</sup> Masons letter to the Gennerall Court, sitting on Feb<sup>r</sup> 7<sup>th</sup>, and by their order and direction returnd him an answer to this purpose: That he might haue binn admitted to prosecute his clajmes by tryalls at law to any lands in the possession of particcular persons long since, had he desired it, and that he might proceede assoone as he pleased, giving notice a moneth beforehand at which Court w<sup>th</sup>in the county where those lands lye he would attend, that so meet and vnconcerned both judges and juro<sup>r</sup>s might, according to his maj<sup>ties</sup> co<sup>m</sup>and, be appointed him; and as for the co<sup>m</sup>ons and vnimprooved lands which he clajmes, the answer was, that the bounds & l<sup>j</sup>mitts of the lands which wee suppose he meanes were \*vnknowne to vs, and also that wee know of no land, (not an acre,) therein, vnder such a qualification, but that all sajd lands are impropiated by due meets and bounds, either to perticcular persons or touneships, and in actuall possession & improouement, & had been so for many yeares past. Since this answer M<sup>r</sup> Mason hath been here in Boston, — a Court then sitting, — but hath made no further motion in his busines; and so it remajnes till he see cause to signify his desires further therein. Right honno<sup>r</sup>ble, I esteeme it my duty to his majesty humbly to informe in the p<sup>r</sup>misses, that his maj<sup>ty</sup>, by your hono<sup>r</sup>, may be acquainted, that, in obedience to his majestjes co<sup>m</sup>ands, there is no denjall of justice to M<sup>r</sup> Mason, nor delay on our parts in that affaire. So, praying for yo<sup>r</sup> hono<sup>r</sup>s prosperity heere, & euerlasting happines hereafter, I am,

[\*390.]

Right honno<sup>r</sup>able,Yo<sup>r</sup> most humble servant,SYMON BRADSTREET, Go<sup>d</sup>.24 March, 1682<sup>3</sup>.Instructions for Joseph Dudley and John Richards, Esq<sup>rs</sup>.

Imprimis. Yow are to present our addresse herewith sent to his majesty w<sup>th</sup> the first oppertunity, as also to acquaint some of the right honno<sup>r</sup>ble lords of the co<sup>m</sup>itte<sup>e</sup> for forreigne plantations w<sup>th</sup> the power yow haue received, & present them with a copy thereof, if desired.

Instru<sup>ctions</sup> for  
Joseph Dudley  
& Jn<sup>o</sup> Rich-  
ards, Esq<sup>rs</sup>.

2. If your co<sup>m</sup>ission be so farr accepted as to procure information of

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what his maj<sup>ty</sup> requires, yow may humbly pray to vnderstand the whole at once, that so yow may endeavour, to the vttermost of your power, to giue his maj<sup>ty</sup> intjre sattisfaction.

3. If any thing be objected of misuse or transgression of the power or rules of our charter, or male administration of the gouernment which cannot indeed be warranted by our charter, vnderstood in the most favo<sup>r</sup>able sence for the planters, after the best excuse you can make, yow are humbly to begg his majestjes gracious pardon, engaging reformation for time to come.

4. Whereas, in our comission and power sent to yow, one gennerall ljm-itation is the sauing to vs the majn ends of our coming ouer into this wilder-ness, yow are thereby principally to vnderstand our libertjes & priuiledges in matters of religion and worship of God, which yow are therefore in nowise to consent to any infringement of.

[\*391.]

\*5. As to the matters of appeales, if propounded to you, yow are humbly to represent & plead what euer may be argued from the patent to the contrary, as also the great inconveniences and burthens that will ineuitably come vpon his maj<sup>ties</sup> subjects should appeales be imposed vpon vs, humbly pray- ing his maj<sup>ties</sup> favour therein; and if (your endeavours notwithstanding) yow finde a resolution taken of requiring and settling appeales, and that any regu- lations or ljm-itations be proposed therein, yow are not to conclude vs by any act or consent of yours, but craue leaue to transmitt the same to vs for our further consideration.

6. It being of the essentialls in our charter to vse our oune liberty w<sup>th</sup> respect to freemen, this Court hauing repealed that law that appointed a yeares probation, so as now wee haue fully compljed with his maje<sup>ties</sup> former letters and comānds in this matter, yow are not to make any alteration of the qualli- fications that are required by law as at present established.

7. The present constitution of the Gennerall Court, consisting of Magis- trates and the Deputjes as the select representatives of the freemen, being, without doubt, agreeable to our patent, yow are therefore not to consent to any alteration thereof.

8. The remooval of the seat of this gofūnment here, according to charter, yow are not to consent therevnto.

Fynally. Yow are to obserue these instructions, which are and shallbe as obliging to yow as your comission is to impower yow.

& was signed by the Court.

EDWARD RAWSON, Secre<sup>t</sup>.

Gen<sup>tn</sup> & loving Friends:—

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Courts letter to  
our agents.

Wee received yōurs of 28 September & 3<sup>d</sup> of October, by Mr Foy, together with seuerall other writtings, whereby wee vnderstand the sad and sorrowfull condition that yow and wee are reduced vnto, and the difficult chojce wee are put vpon, which hath cāsed many sad thoughts of heart, and in conclusion haue agreed vpon the cōmission and instructions herewith sent, which wee hope will giue his majesty & council sattisfaction, being willing to doe the vttermost wee can to procure his majesties favour and our oune peace, and more wee cannot in conscience and reason be active in, at least till wee vnderstand what his majesty doeth further intend \*and require. By the ‘regulation of this gouernment’ wee cannot conceive is meant an abolition of our charter, or any essentiall part of it; and therefore hope your cōmission will be esteemed as large as is expected. If yow perceiue it very probable that what yow are impowred to consent vnto will give sattisfaction and procure the continuance of our enjoyments, yow may more fully & freely concede to what maybe propounded consisting with our charter, according to our instructions; but if yow perceiue, or cann be assured, that nothing will sattisfy but the nulling our charter, or imposing of appeales, then yow may, and in that case we advise yow to, be slow in tendring the Prouince of Majne, or giving vp anything else but what our charter will not warrant our keeping; and in those things, if any such be objected, wee must reforme, and yow must shew yourselues very free and willing so to doe, and humbly begg his maj<sup>ties</sup> favour for the enjoyment of what is very necessary for the welfare of the people heere, and maybe w<sup>thout</sup> prejudice to his maj<sup>ties</sup> dignity or revenue. But if nothing that yow haue power to doe will prevent a quo warranto, (though wee hope otherwise,) wee desire yow well to aduise whether it were best to make dispute, and be sure yow spend litle or no money therein, vnless yow cann haue very good assurance that it may be substantially made & mainteyned by law. And if his maj<sup>ty</sup> will take away our charter, (notwithstanding seuerall intimations in his gracious letters to the contrary,) and also dispossess vs of the Prouince of Meyne, wee desire he may be humbly informed of our charge and disbursments, to the value of aboue tenn thousand pounds, for the preservation of the people there. The summe of all wee can say and cōmend vnto yow is, to doe vs all the good yow cann, & to endeavor the preventing all the inconueniencjes you may, which wee doubt not but yow will vnfeignedly doe; and the God of heaven direct, counsell, assist, prosper, & succeed all your vndertakings in this our great concerne. The Treasurer will informe what money he hath already prouided for yow, or is further taking care for in order to your supply. Wee much desire your returne hither this next

[\*392.]



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[\*393.]

summer, if possible. \*If they proceed to a quo warranto, yow may, if it can be safely donn, humbly desire to be excused from answering it, as hauing no power comitted to yow so to doe. Wee haue herewith sent yow the copies of seuerall cases concerning which yow gaue vs some intimations formerly, and what, for want of time, wee haue not binn able to compleat, wee hope to send p next ship, which wee judge will speedily follow. Wee haue herewith sent yow seuerall deeds & papers relating to the Province of Meyne, all which are comitted to yow to deliuer vp to his maj<sup>ty</sup>, or improove in such manner as in your discretion shall thinke most for our advantage; and in case it be not adviseable to reteine the charter for sajd province, yett yow may plead at least that wee may retejne the sojle, for the security of the planters and those that haue had grants of lands there.

In the matter of Robert Orchard, wee haue herewith sent yow a copy of the order of the Gennerall Court relating to his case; but he refused to attend the methods for to haue justice donn him here, which, by order of our Court, he was directed vnto. The order of his maj<sup>ties</sup> council directed to us was entituled, 'To the Gouvernor & Company of the toune of Boston,' which, being an error, may be improved for our advantage.

Wee haue also agreed vpon such emendations of our acts of trade so that they doe completely or fully agree in all things w<sup>th</sup> the lawes of England, as by the copy sent to yow herewith yow may see. There being also some royall oare discouered, wee haue made provisson of some new lawes, that the fifth part may be reserved for his maj<sup>ty</sup>, as a recognition due to him by our patent, when any prosecution or improvement shall be made of the mines that are or maybe discouered.

Likewise, wee haue sent yow a petition w<sup>th</sup> the subscriptions of the inhabitants of the three next countjes, which were sent to vs to communicate to yourselues to make vse of, if yow thinke it may be of any advantage to present to his maj<sup>ty</sup>, that it maybe vnderstood that the gennerality doe not desire a chainge.

[\*394.] Yow are also to take notice, in case yow see cawse to deliuer vp the deeds for the Province of Meine, that seuerall tracts \*of land haue been granted to seuerall persons, viz<sup>t</sup>: one to the colledge of a necke of land called Meejkoneage Neck, and a thousand acres lying in Casco Bay; also, a grant of a thousand acres to M<sup>r</sup> Wharton; also, a grant to M<sup>r</sup> Russell, Treasurer, and seuerall touneships settled by the præsident of that prouince, which were confirmed, whiles yow were heer, by this Court, all which titles to the sojle should be excepted when yow make a surrender of that prouince.

S<sup>rs</sup>, your assured lō friends,

EDWARD RAWSON, Secret<sup>y</sup>.

In the name & by order of the Gennerall Court.

Mr James Russell, Treasurer, his accounts being examined by the committee, both debto<sup>r</sup> and credito<sup>r</sup>, w<sup>ch</sup> is on file, was presented & returnd into the Court.

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Wee, the committee appointed by the Gennerall Court to examine the Treasurers acco<sup>t</sup>, and make returne to the sajd Court, doe finde the abouesajd account in gennerall to be right, only some particculars remajne to be cleered, and objections to be answered, which could not be donn till the next account be brought in, which may be in June next, but they are of no great value, so that the calculation of what is to be pajd and received may serve for the honored Courts information of the state of the whole, as neere as can be computed for the present ; and further, the honnoured Court may take notice that there is ninety pounds payd Job Lane for the colledg, & eighty pounds p an<sup>i</sup> pajd marshall gennerall, which wee leaue to the Courts considerations.

Treasurers accounts audited & approved.

HUMPHRY DAVY,  
JOHN HULL,  
ELISHA HUTCHINSON,  
RICH<sup>d</sup> SPRAGUE,  
ELISHA COOKE.

The Court, hauing perused the returne of the committee appointed to examine the Treasurers accounts, doe approoue thereof, (the ninety pounds pajd Job Lane, & fower thousand ffoote boards, 7<sup>th</sup> 12<sup>s</sup>, for the colledge, onely excepted,) which is to be reimbursed him by the colledg corporation, it being pajd w<sup>th</sup>out the Courts order, also the Treasurer hauing voluntarily engaged to collect the rates gon out in October last, w<sup>th</sup>out any further charge to the country.

E. R., S.

In ans<sup>r</sup> to the petiçon of Jonathan Jackson, humbly desiring the favour of this Court to grant him leave, being in necessity, to sell the whole or any part of the land w<sup>ch</sup> his late honno<sup>r</sup>ed father, Mr Edward Jackson, gaue him by his last will, w<sup>ch</sup> prohibitts the sale w<sup>th</sup>out liberty from the Gennerall Court or County Court be obteyned, the Court judgeth it meet to reffer the determination thereof to the next County Court for Midlesex.

Ans<sup>r</sup> to Jonathan Jacksons petiçon.

\*The Court being informed that the selectmen of Andivor & Bradford did wholly neglect the observance of the late order relating to the rating of wasst lands, the secretary was ordered to send a warrant for their or one of their appeance before this Court to giue an account for y<sup>e</sup> same. Warrant issued out accordingly, & Left John Osgood & Cap<sup>t</sup> Shuball Walker appeared

[\*391<sup>a</sup>.]  
Andiuer & Bradfords sent.

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New highway  
to Kenecticut  
to be layd out,  
& Tresur to  
pay 50<sup>s</sup> for it.  
16 May, 1683.

Sherborns  
brandmrk,

△

Coms. sent,  
Rich<sup>d</sup> Leach  
cap<sup>t</sup>, & Nath.  
Putnam left.

Jn<sup>e</sup> Capen cap<sup>t</sup>,  
Ri. Hall leift,  
Samuel Clap  
ens., of Dor-  
chester.

Comissions dd.

Jn<sup>e</sup> Smith cap<sup>t</sup>,  
Jerr. Beale left,

Tho. Lincoln  
ensign, to  
Hingham foot  
compa.

Cmmissions  
sent & dd.

Mr Ri. Dunmer  
left to y<sup>e</sup> troop  
Newbery, Rou-  
ley, &c.

Sam. Apleton  
cap<sup>t</sup>, Burna.  
left, Symon  
Stacy ensigne,  
to y<sup>e</sup> 1<sup>st</sup> compa.  
Ipswich.

Mr Dani. Epps,  
Jn<sup>e</sup> Apleton  
left, & Tho.  
Jacob ensi., to  
2 comp.

Jn<sup>e</sup> Andrewes  
leift, W<sup>m</sup> Good-  
hue ens., 3  
comp. at Che-  
bacco.

[\*392.]

Jn<sup>e</sup> Gold leift,  
Jn<sup>e</sup> Pebody  
ensigne, Tops-  
feild.

Sam. Patrigg  
q<sup>tr</sup> m<sup>r</sup> of troop  
at Hadley.

Order as to Mr  
Hubbards gra-  
tuitys pay-  
ment, 50<sup>l</sup>.

& gaue in their ans<sup>s</sup>. The Court ordered the selectmen of Andivor and Bradford to bring in a just & true account of all the wast lands w<sup>th</sup>in their respectiue townes vnto Cap<sup>t</sup> Elisha Hutchinson, at Boston, the first second day of y<sup>e</sup> next moneth, to his sattisfaction; and also pay to the sajd Cap<sup>t</sup> Hutchinson fve shillings a peece each toune, & he to pay the same to the country Tresurer for what hath binn disbursed for sending for them.

Whereas the way to Kenecticut now vsed being very hazardous to travelers, by reason of one deepe riuer that is passed fower or fve time ouer, which may be avoyded, as is conceived, by a better & nearer way, it is refferd to Major Pynchon to order y<sup>e</sup> sajd way to be lajd out & well marked. He hauing hired two Indians to guide him in the way, & contracted w<sup>th</sup> them for fuety shillings, it is ordered, that the Tresurer of the county pay the same in coun-try pay towards the effecting this worke.

At the request of the constable of Sherborne, △ this marke is allowed them for their brandmrke for their catle, weights, & measures.

Leiftenñt Richard Leach is appointed captaine of the ffoote company at Salem Village, & Nathaniel Putnam to be leiftenñt.

Leiftenant John Capen is appointed captaine of the ffoote company in Dorchester, Ensigne Richard Hall to be his leiftenñt, & Serjant Samuel Clap to be ensigne of the sajd company, & they are to haue their comissions accordingly.

Leiftenñt John Smith is appointed captain, Jerremiah Beale leiftenñt, & Thomas Lincolne ensigne to the ffoot company at Hingham.

This Court doth order & appoint Mr Richard Dunmer leiftenñt ouer the troopers of Newbery, Rowley, Andiuier, Bradford, & Topsfeild.

Samuel Apleton, Esq<sup>r</sup>, is appointed captaine to the first foot company in Ipswich, Ensigne Thomas Burnam leiftenñt, Symon Stacy ensigne.

Mr Daniel Epps is appointed captaine of the second ffoot company in Ipswich, Mr Jn<sup>e</sup> Apleton, Juñ, leiftenñt, & Thō Jacob ensigne.

Corporall John Andrews is appointed leiftenñt to the 3<sup>d</sup> company at Chebacco, and W<sup>m</sup> Goodhue, Juñ, ensigne.

\*It is ordered, that Ensigne Jn<sup>e</sup> Gold be leiftenñt to y<sup>e</sup> ffoot compā at Topsfeild, & Sarj<sup>t</sup> John Pebody ensigne.

Mr Samuel Patrigg, of Hadley, is appointed quarter master for y<sup>e</sup> troope vnder the comānd of Major John Pinchon, & is to haue his comission accordingly.

This Court hauing formerly granted fifty pounds to y<sup>e</sup> Reū Mr W<sup>m</sup> Hubbard in consideration of his pajne in collecting a history of the first planting & setling of this colony, as in October last, for 50<sup>l</sup>, it is ordered, that the



Treasurer pay him or his order halfe of the sajd sume as soone as money comes into his hands, and that the debts due from the country be payd in course as they arise due by this Courts order.

1683.

30 March.

In ans<sup>r</sup> to the petition of Elisabeth Johnson, relict of y<sup>e</sup> late Cap<sup>t</sup> Isaack Johnson, that lost his life in y<sup>e</sup> late warr, the Court judgeth it meet to free the peti<sup>c</sup>ōner from country rates during her naturall life.

Ans<sup>r</sup> to Elisa.  
Jn<sup>s</sup>ons peti-  
cōn.

In answer to the request of Nathaniel Bullard, constable of Dedham, the Court declares, that he hath power, in all money rates already granted this session of Court, money not being tendered, to seaze any estate not phibbited by law, and make sale thereof after one moneth, if not redeemed by the party, and procure the mony thereby.

Courts direc-  
tion to Natha.  
Bullard, const.  
Dedham.

Artickles of agreement had, made, & concluded vpon the tenth day of June, añ Dofñ one thousand sixe hundred eighty & one, anno<sup>q</sup> R. R<sup>s</sup> Carolj Secundj, &c, xxxiii., by & betweene Thomas Danforth, Esq<sup>r</sup>, præsident of the Prouince of Majne in New England, in behalf of the government & Company of the Massachusetts Bay in New England aforesajd, y<sup>e</sup> cheife proprieto<sup>r</sup> of the sajd prouince of the one part, and Mary Munjoy, widdow, relict, and sole administratrix of the estate of George Munjoy, late of Casco, in Falmouth, w<sup>th</sup>in the abouesajd province, marriner, deceacd, of the other part, —

Artickles of  
agreem<sup>t</sup> as to  
præsident of y<sup>e</sup>  
Province of  
Majne & Mary  
Munjoy.

Wittnesseth, that whereas the s<sup>d</sup> Thomas Danforth, Esq<sup>r</sup>, præsident, by virtue of his cōmission from the sajd Gofino<sup>r</sup> and Company of the Massachusetts, hath ordered the setlement of a toune at Casco, erecting Fort Loyall thereon, and disposed of house lotts for the furtherance & encouragement of the sajd setlement; but forasmuch as the sajd Mary Munjoy doth lay clajme to a neck of land lying about sajd fort, the place agreed vpon for the sajd tounship, but hath not entred vpon any possession or improovement thereof since the devastation made by the Indian warr, for the fynall ending of all present disputes or after controuersies, clajmes or titles to be had or made by her or her heires or assignes, or any the heires of hir s<sup>d</sup> late husband therevnto, it is mutually agreed, consented to, and concluded by and betweene the sajd partjes to these p<sup>ts</sup>, as followeth: —

Concluded on  
page 395.  
Vide 395, \*

\* \* Videljct, that the said Mary Munjoy, for the consideration heereafter in these presents expressed, shall haue, retejne, and enjoy the easterly end of the sajd necke of land wherevpon hir sajd husband haue formerly stood, bounded by a streight l<sup>j</sup>ne from the mouth of a runnet of water, on the easterly side whereof M<sup>r</sup> Cleves house stood, and so to pass on to the old barne on the top of the hill, and from the barne the shortest l<sup>j</sup>ne to the salt water, excepting & reserving to the sajd touneship & ffort, for the laying out of house

[\*395.]



1683.

30 March.

lots, the lands all along the southerly side of said neck of land as farr as the meeting house, to extend twenty pole backward in length, reserving only twenty pole front for hir oune house lott, adjoyning to the said runnet. Further, that the said Mary Munjoy shall haue and enjoy the island called House Island, which hir said late husband formerly purchased of sundry of the inhabitants there. And more, the said president doth yeild & grant vnto hir two hundred acres of land vpon the neerest of the islands adjoyning, that remajne free & vndisposed of, in way of exchange and full compensation for the land hereinafter mentioned by hir released ; to haue and to hold all the lands aboue mentioned, (w<sup>th</sup> the exception and sauing the liberty afore expressed,) and the priuiledges and appurtenances thereto belonging vnto the said Mary Munjoy, hir heires & assignes, to her and their sole vse, bennefit, & behoofe foreuer. In consideration whereof the said Mary Munjoy, for herself, hir heires, execcuto's, and administrato's, doth hereby freely, fully, and absolutely remise, release, and foreuer quitt clajme, and doth resigne vp and assigne all hir right, title, interest, clajm, and demand of, in, & to the whole remainder of the said neck of land vnto the said Thomas Danforth, Esq<sup>r</sup>, president, in behalf of the gouernment and Company of the Massachusets, their successo's & assignes, to be disposed of according to the present settlement made by the sd president ; to haue and to hold the same without the least reclajme, denjall, lett, suite, trouble, eviction, or ejection of her the said Mary, her heires, execcuto's, administrato's, or any of the heires of the said George Munjoy, or any other person or persons whatsoever from, by, or vnder them or either of them. In witness whereof the aboue named Mary Munjoy & Thomas Danforth haue interchangeably put their hands & seales the day & yeare first aboue written.

MARY MUNJOY, & a seale.

Sealed and deliuered in the

MARY MUNJOY, & a (seale).

psence of

[THOMAS DANFORTH, & a seale.]

Silvanus Dauis,

Joseph Tounsensd.

21 M<sup>r</sup>ch, 1683.

These artickles hauing binn read w<sup>th</sup> the Court, they doe allow and confirme the same.

EDWARD RAWSON, Secre<sup>t</sup>.

Entred & recorded, word for word, in the Gennerall Courts booke of reccord, being compard w<sup>th</sup> the originall left on file.

As attests

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

M<sup>r</sup>kt as aboue.

[The following pages, \*393<sup>a</sup> and \*394<sup>a</sup>, accidentally recorded out of place in the original, have been here restored to their proper situation.]

1683.

30 March.

[\*393<sup>a</sup>.]

A neck of land & a 1000 ac's granted to y<sup>e</sup> presid<sup>t</sup> & fellows of Harvard Colledge in y<sup>e</sup> Province of Mayne.

Courts act & grant as & to M<sup>r</sup> Wharton, &c, 1000 ac's, &c.

\*This Court doe grant Merrykoneag necke of land in the Province of Mayne, in Casco Bay, w<sup>th</sup> one thousand acres of land adjacent, vnto the præident & ffellow<sup>s</sup> of Harvard Colledge in Cambridge, to be & remajne to the vse of the sajd colledge for euer; and the præident of the sajd province is ordered to bound out sajd grant, as maybe most behoofefull for the colledge.

Whereas M<sup>r</sup> Richard Wharton hath represented his great sufferings to this Court, by occasion of a sentence of a Gennerall Court, in May, 1674, prohibiting him to plead any cause but his oune & that of M<sup>r</sup> Bellinghams, and the Court, vnderstanding that the effects of the sajd sentence had exceeded the intentions thereof, and that if the sajd Wharton had then so fully & clearly represented his case as now he doth, he might haue binn acquitted, therefore, for the sajd Whartons releife, and in manifestation of the Courts respect and favour, it is ordered, that the sajd sentence be totally and effectually reuersed, and that, for his full satisfaction, one thousand acres of land in the Province of Mayne, either vpon any free island or place vpon the mayne, be & heereby is freely granted to the sajd Wharton, his heires and assignes for euer, to be measured & lajd out by such persons as this Court shall appoint, and all other voates to be null & voyd.

This Court, hauing taken into consideration the petition of M<sup>r</sup> John Gifford, doe grant him liberty to revjew his case in forma pauperis at the next Court at Ipswich, which stands adjourned to the tenth of Aprill next, by order of this Generall Court, the former order of this Court notwithstanding, which is heereby repealed.

Courts grant to M<sup>r</sup> Gifford to revjw in forma pauperis.

This Court doth order that those lands & islands, part of the Province of Mayne, conteyned in a writting made in parchment, & hath binn read & considered in both houses, be conveyed to the Treasurer of the country for the vses therein expressed, & that the seale of the Governo<sup>r</sup> & Company be affixed thereto by the Goũno<sup>r</sup>.

Order for a deed of certeine islands in Province of Majne to be made to y<sup>e</sup> Treasurer, w<sup>ch</sup> is made by Tho. Danforth, Esq<sup>r</sup>, president to y<sup>e</sup> grantee, dated June, 1682.

In ans<sup>r</sup> to the petition of M<sup>rs</sup> Margaret Mitchell, the relict widdow of the Reũnd M<sup>r</sup> Jonathan Mitchell, the Court judge meet that the County Court of Middlesex be impowred, & the sajd Court is hereby impowred, to consider of the case therein presented, and to act in it as shallbe for the good of the petiõner & her children, alwayes provided that the interest of sajd children in the estate left by the late M<sup>r</sup> Mitchell, husband to the petiõner, be secured & improoved for them to the best advantage.

Ans<sup>r</sup> to M<sup>rs</sup> Margaret Mitchells petiõn.

1683.

30 March.  
21 Feb., 82.

[\*394<sup>a</sup>.]

Court act &  
liberty to Rob-  
ert Orchard,  
&c.

On a further motion from the petiçoner w<sup>th</sup> refferenc to a smale tract of land scittuat neere the ffalls vpon Charles Riuer in Cambridg bounds, conteyn- ing fluety acres, by hir sold to Nathaniel Hancoke, the confirmation thereof in like manner be referrd to the County Court of Midlesex.

\*The petition exhibbitted by Robert Orchard to his majesty, together w<sup>th</sup> the order of his majestje & most honno<sup>ble</sup> council made therevpon, being deliuered by the sajd Orchard 22<sup>th</sup> February, instant, being about fve moneths after his arrivall, and by them read and considered, it is ordered, that the sajd Robert Orchard haue liberty, without costs or charge, to present his complaint to this Court, or to any other Court that may take cognizance thereof, against any that haue donn him wrong in the execution of their office, or to haue a revjew of any judgment that hath binn passed against him; if vpon a full hearing of the case it appeare he hath binn any wayes wronged, he may haue right donn him.

A single coun-  
try rate in  
mony payable  
by July next  
for our agents  
suply & pay-  
ment of debts.

It is ordered by this Court and the authority thereof, that the country Treasurer forthwith issue out his warrants to the seuerall townes, and peculiars w<sup>th</sup>in this jurisdiction for the levying of one single country rate, to be pajd in money, for the defraying the necessary charges of the colony, & that the selectmen of the seuerall townes, in making the sajd rate, proceed therein to asseesse euery person as his estate was in the sixth moneth last given in for making of sajd country rates, & that the constables of each toune collect & gather the same, and make payments thereof to the country Treasurer, or his order, & to cleare their accounts w<sup>th</sup> him before the last of July next; and it is further ordered, that this money rate be wholly improoved for the supply of our agents in England, & for the payment of such debts as wherein the country stands absolutely engaged to pay money, & no other.

Ipswich Coun-  
ty Courts ad-  
journm<sup>t</sup>.

It is ordered, that Ipswich County Court, that should beginn on Tuesday next, be adjourned & is adjourned to that day fortnight.

Who to keep  
County Court  
in Essex for  
trjall of M<sup>r</sup>  
Masons  
clajmes.

It is ordered, that W<sup>m</sup> Stoughton, Esq<sup>r</sup>, Peter Bulkley, Esq<sup>r</sup>, & Jn<sup>o</sup> Hall, Esq<sup>r</sup>, together w<sup>th</sup> such other magistrates in Essex as are vnconcerned in M<sup>r</sup> Masons case, be the persons to keepe the County Court there for the tryall of those cases that referr to the clajme of M<sup>r</sup> Mason in that county.

Ans<sup>r</sup> to M<sup>r</sup> Ad-  
am Winthrops  
petition, &c.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Adam Winthrop, humbly desiring the favour of this Court that he, being proprieto<sup>r</sup> of an island, (called the Gouverno<sup>r</sup>s Island,) falling to him by his anncesto<sup>r</sup>s, w<sup>ch</sup> stands chardged w<sup>th</sup> the rent of two bushells of aples yearly to the Gennerall Court, that the sajd rent or acknouledgment may be remitted, or a su<sup>m</sup>e æquivalent accepted, & the sajd island fully discharged from the incumbrance aforesajd, the Court grants the

petiçoner his request, so that he pay, or cause to be payd, the sūme of fīue pounds money forthuith, by the first oppertunity, to our agents in England.

1683.

30 March.

\*This Court doth constitute & appoint Cap<sup>t</sup> Frauncis Hooke, of Kittery, in the Province of Meyne, their lawfull attorney on their behalfe & to their only vse, to demand & receive all dues to them apperteyning from any person or persons whatsoever, for the royaltjes & qujtt rents or settlement made by the præident of the province; as also to take into his possession all lands & houses belonging to the Govern<sup>r</sup> & Company within the sajd province, by possession or improovement of any the late servants, agents, or trustees of S<sup>r</sup> Ferdinando Gorges, and, if need shallbe, to present & implead in the law all such persons or person as shall withhold and deteyne the same, & hauing gained possession, to lett out & dispose of sajd lands, by lease or otherwise, for the sole vse of the Goũno<sup>r</sup> & Company, with the aduice of the præident of sajd province for tyme being. Dated in Boston, 21 March, 1683 $\frac{2}{3}$ .

[\*396.]

Cap<sup>t</sup> Francis  
Hooke Gen.  
Courts attur-  
ney.

EDWARD RAWSON, Secre<sup>t</sup>.

In the name & by order of the Goũno<sup>r</sup> & Company of y<sup>e</sup> Massachusets.

[The following instruments, part of the record of the May session, 1683, are entered out of place.]

Know all men by these presents, that wee, Abbagasset & Kennebes, being both Indian saggamores, doe here acknowledge & confess, for diuers good causes, and for good & valuable consideration, and by vs in hand received tenn yeares before the insealing and deliury of these presents by Xtopher Lawson, wherewith wee confess ourselues to be fully sattisfied & pajd, haue bargained and sould, &, by these presents, doe fully, clearly, & absolutely bargaine and sell vnto the aforesajd Christopher Lawson one island lying & adjoyning in the River of Kennebeck, comonly called & knoune by the Indians Capeanaguset, and by the English comonly called & knoune by the name of Swann Island, w<sup>th</sup> all vpwoods, vnderwoods, flats, and creeks, with fishing, fowling, hawking, hunting, and with all priuiledges and appurtenances thereto belonging, to the sajd Xtopher Lawson, his execcuto<sup>r</sup>s, administrato<sup>r</sup>s, and assignes, and to their propper vses, to haue & to hold foreuer, w<sup>th</sup>out any trouble, lett, or molestation of vs, or by any of our exacquto<sup>r</sup> ore assignes, ore by any other parson or parsons whatsoever, and for the true performance of the abouesajd premisses, without fraude & guile, wee doe here sett our hands & seales, this fueteenth day of August, in the yeare of our Lord one thousand sixe hundred sixty and seven, being the nineteenth yeare of the reigne of our



16 May.

Indian deeds  
to Xtopher  
Lauson, &  
from him to  
Mr Daui here,  
& so on to y<sup>e</sup>  
16 of May, is  
entred by mis-  
take before its  
time so much,  
&c.



1683. sufferaine lord, King Charles the Second, King of England, Scotland, France,  
& Ireland, Deffendor of the Faith.

16 May.

ABEGUSSET,  & a seale in hard red wax,  
Sealed, signed, & deliuered KENEBEZ,  & a seale in red wax.  
in the presence of vs,  
Ephraim Marston,  
his mrke  
Thomas T Watkins,  
Abell Cannon,  
his marke  
Rich<sup>d</sup> T Boudin.

Thomas Watkins & Ephraim Marston doe affirme, vpon oath, that this is  
the Indians act & deed, the 21 day of June, 1668.

Before me, NICHOLAS REYNOLL, Just Peace.

Abell Cannon did depose, vpon oath, before me, that these are the  
hands & seales of Abenagusset & Kenebes, both Indians, this 2<sup>d</sup> day of  
August, 1668.

EDWARD PATTESHALL, Majestrate.

Enterd & recorded from 16<sup>th</sup> May, 1683.

P EDWARD RAWSON, Sec<sup>y</sup>.

[\*397.] \*To all Christian people to whom this present writing shall come, I,  
Christopher Lawson, of Kenebeck Ryuer, send, greeting, in our Lord God  
euerlasting. Know yee, that I, the sd Christopher Lawson, for the securing  
of the payment of one hundred and tenn pounds three shillings vnto Humphry  
Davy, of Boston, in the Massachusetts colony in New England, merchant,  
haue given, granted, bargained, sold, enfeoffed, and confirmed, and by these  
presents doe give, grant, bargaine, sell, enfeoff, & confirme vnto the sajd  
Humphry Davy, his heires, execcuto's, administrato's, and assignes, one island  
lying and adjoyning in the Riuer of Kennebeck, comonly called and knoune  
by the Indians Cape Anagusset, and by the English comonly called and  
knoune by the name of Swan Island, w<sup>th</sup> all vpwoods, vnderwoods, flatts,  
creeks, marishes, w<sup>th</sup> fishing, fouling, hawking, hunting, and w<sup>th</sup> all priuiledges  
& appurtenances thereof and therevnto belonging, and all my right, title, & in-  
terest in the same; as also haue giuen, granted, bargained, sold, enfeoffed, &  
confirmed, & by these presents doe giue, grant, bargaine, sell, enfeoffe, and  
confirme vnto the sajd Humphry Daue, his heires, execcuto's, administrato's,

& assignes, my now dwelling house as it is now, & with what further additions or finishing worke is or may be to the same, w<sup>th</sup> one out house ^, and w<sup>th</sup> all my right, & title, & interest in the sajd island & house aforementioned, & all rights, priuiledges, & appurtenances thereof & therevnto belonging, to the sajd Humphry Davy, his execcuto<sup>rs</sup>, administrato<sup>rs</sup>, & assignes, & to his and their propper vse; to haue and to hold foreuer, from the day of the date thereof, as a sure & perfect inhæritance. And I, Christopher Lawson, for myselfe, my heires, execcuto<sup>rs</sup>, administrato<sup>rs</sup>, and assignes, doe promise, couenant, grant, & agree to & w<sup>th</sup> the sajd Humphry Davy, his execcuto<sup>rs</sup>, adm<sup>n</sup>trato<sup>rs</sup>, & assignes, that it shall be lawfull for the sajd Humphry Daue, his execcuto<sup>rs</sup>, administrato<sup>rs</sup>, & assignes to haue, hold, occupy, possess, and enjoy the bargained premisses w<sup>th</sup>out any lawfull lett of myself, wife, heires, execcuto<sup>rs</sup>, administrato<sup>rs</sup>, or any other person or persons lawfully clayming from, by, or vnder me; and I doe also promise, couenant, and grant, & agree to and with the sajd Humphry Davie, his heires, execcuto<sup>rs</sup>, administrato<sup>rs</sup>, and assignes, by these presents, that the bargained premisses, w<sup>th</sup> the appurtenances, are free and cleere, & freely and cleerely acquitted, exonnorated, and dischardgē of and from all other bargaines and sales, gifts and grants, titles, mortgages, actions, suites, arrests, judgments, executions, and incombrances whatsoever to this day, & shall deliuer all escripts concerning the premisses vnto the sajd Humphry Davy, faire, & vncancelled, and vndefaced, provided and allwis and it is agreed, that if I, Christopher Lawson, my heires, execcuto<sup>rs</sup>, administrato<sup>rs</sup>, or assignes, shall pay or cause to be paid vnto the sajd Humphry Davy, his heires, execcuto<sup>rs</sup>, and administrato<sup>rs</sup> or assignes, the sume of one hundred & tenn pounds three shillings in currant money of New England, or in bevar or moose at price currant, at or before the next last of June next ensuing the date hereof, that then this present bargain and sale to be voyd & of none effect, or els to remajne in full force, strength, & virtue. In witnes whereof, I, Christopher Lawson, haue herevnto set my hand & seale, in Kennebeck, the last day of June, in the yeare of our Lord one thousand sixe hundred sixty & eight, annoq Regni Regis Carolj Secundj, &c.

1683.

16 May.  
Xtopher Law-  
sons deed to  
Mr Davy.

Signed, sealed, & deliuered CHRISTOPHER LAWSON, & a seale.  
in presence of us.  
Robt Patteshall,  
John Foote.

\*Furth<sup>r</sup>, Richard Patteshall testifieth & saith, that he hauing set his [\*398.]

1683. hand as a witnesse vnto this writing, he did see Christopher Lawson signe,  
 16 May. seale, & deliuer the same, as his act & deed, on the day of the date thereof.  
 Taken vpon oath, this 22<sup>th</sup> Sept, 1670, before me.

RICHARD PARKER, Comission<sup>r</sup>.

This instrument was acknowledged by Christopher Lawson as his act & deed, November 22, 1672, before

EDW: TYNG, Assistant.

Entred & recorded from 16 May, 1683, here.

p EDWARD RAWSON, Secret<sup>r</sup>.

Annexed.

Christopher Lau-  
 sons deed to  
 Mr Davy.

Whereas I was formerly indebted to Mr Humphry Davy, & mortgaged for the same Swan Island in Kennebeck, with the house & all appurtenances therevnto belonging ; and for want of payment & sattisfaction the premisses are *are* justly become forfeited vnto, & possessed of, the sajd Davje, who, notwithstanding, since offered me the premisses againe vpon payment of what is due to him, which I am vncapable to performe or procure to be performed ; so that it remajnes firmly to him, according to the mortgage & deed for the same. And now, the sajd Mr Davye hauing, out of his compassion to mee in my lowe estate, and for my present help for my settlement in some good way for my future liuely hood, payd me a considerable some of money & other pay, I doe heereby declare myself thankfull and sattisfied, w<sup>th</sup>out any future clamours, pretences, or trouble of the sajd Davie, his heires & assignes, in or about & concerning the premisses, or in relation therevnto. Wittnes my hand, in Boston, this xxij<sup>th</sup> day of November, one thousand sixe hundred seventy & two.

Signed, sealed, & deliuered in  
 the presenc of us.

Jn<sup>o</sup> Bullard,

Penn Tounsand.

CH: LAWSON, & a seale.

Ch Lawson acknowledged this instrument as his act and deed, 22<sup>th</sup> Nov<sup>r</sup>, 1672, before

EDW: TYNG.

Entred & recorded from 16 May, 1683.

p EDW: RAWSON, Secret<sup>r</sup>.

In answer to the petition of Mr Humphry Davye, humbly desiring this Courts aprobaton & confirmation of his lands purchased of Christopher Lawson, who purchast the same of Abbegusset & Kenebez, two Indian sagamores, as mentioned in y<sup>e</sup> deed aboue & before written, &c, the Court allowes & approoves thereof.

1683.

16 May.  
Courts ans<sup>r</sup> to  
Mr Davys peti-  
con.

EDW: RAWSON, Secre<sup>t</sup>.The 4<sup>th</sup> of June, 1655.

To all Xtian people to whom this present writing shall come, greeting. Know yee, that I, John Saers, of Casco Bay, skale maker, for & in consideration of good and valuable consideration & payment to me made before the date hereof by Isaak Walker, of Boston, shop keeper, haue bargained & sold, & doe heereby bargain & sell, vnto the aforesajd Isaack Walker one island, comonly knoune & called by the name of Long Island, in Cascoc, the westward end lying to Huswiues Sound, and the other end to the north east, reaching to Luxons Sound, in the aforesajd Casco Bay, together w<sup>th</sup> all the priuiledges, appurtenances, haeredittaments, proffits, both by land & water, w<sup>th</sup> bennefits of harbour & adjacent proffits therevnto belonging, to haue & to hold the foresajd premisses to him, the sajd Isaak Walker, as is aboue exprest; I say, for sd Isaack, his heires, executo<sup>r</sup>s, administrato<sup>r</sup>s, and assignes, as his and their oune proper right and due from this time & foreuer. And I, the sajd Saers, doe heereby further bind myself, heires, execcuto<sup>r</sup>s, & administrato<sup>r</sup>s to defend & keepe the sajd Isaak Walker, his heires, execcuto<sup>r</sup>s, & administrato<sup>r</sup>s, & assignes harmeless of and from all manner of person or persons whatsoever that shall or may lay claime therevnto, either now or heereafter; and doe further promise and bynd myselfe, heires, execcuto<sup>r</sup>s, & administrato<sup>r</sup>s to confirme this present deed \*more fully vnto Isaack Walker, his heires, execcuto<sup>r</sup>s, administrato<sup>r</sup>s, or assignes, according to law in the Massachusetts Bay, at any time heereafter, when the sajd Isaack or his assignes shall require it. In witnes whereof, I, John Saers, haue herevnto set my hand & seale the day & yeare aboue written.

Jn<sup>o</sup> Saers deed  
to Isak Walk-  
er.

[\*399.]

JOHN SEARS, &amp; a seale.

Witnes herevnto.

W<sup>m</sup> Hambleton,

Thomas Warner.

Vnderwrit. John Seares came before me this 11<sup>th</sup> of Aug, 1655, and did acknowledg this deed of sale on this side, and the confirma<sup>t</sup>, w<sup>th</sup> the liuery and seisin, on the other side of the leafe, to be his act & deed.

Before me, RICHARD BELLINGHAM, Dep<sup>t</sup> Go<sup>v</sup>.



1683.

16 May.

This writting, in written, I, the aforesajd John Sears, doe fully confirme vnto Isack Walker, his heires, execcuto<sup>r</sup>s, administrato<sup>r</sup>s, and assignes, acknowledging that I haue dd free & full possession of the aforesajd island & premisses vnto Isaack Walker, p deliuering of a twigg & turffe, according to vsuall custome. In witnes whereof, I haue heerevnto set my hand & seale this 4<sup>th</sup> of June, 1655.

JOHN SAERS, &amp; a seale.

Signed, sealed, &amp; dd in psence of

John Winter,

Thomas Sallous,

Mordecay Crauet, (-) his mark.

Entred & recorded in the booke of records for the county of Suffolke, at request of M<sup>r</sup> Isack Walkers, 16 March, 1658.

p EDW<sup>D</sup> RAWSON, Recorder.

3 B., p. 210, 11. Entred & recorded in the booke of records for the county of Suffolke in New England, 16<sup>th</sup> of March, 1658, at the request of Isaack Walker.

p EDW: RAWSON, Recorder.

4 B., p. 398. Entred & recorded in the Geñll Courts book of records attests from 16<sup>th</sup> May, 1683.

EDW: RAWSON, Secre<sup>t</sup>.

Bee it knoune vnto all men by these presents, that I, Francis Small, of Casco Bay, haue and heereby doe sell vnto Isack Walker, of Boston, the plantation that I haue lately bought of Richard Martyn, which was last possest by Thomas Drake, lying ouer against Clapboard Island, w<sup>th</sup> all the housing and profits, priuiledges & appurtenances therevnto belonging as now it stands, & the same to remajne to the sajd Isack Walker, his heires, execcuto<sup>r</sup>s, administrato<sup>r</sup>s, & assignes for euer, w<sup>th</sup>out any interruption, molestation, or denyall of any person or persons whatsoever, and withall to deliuer, or cause to be deliuered, to the sajd Isaack Walker the writings that I, the Francis Smalle, haue of Richard Martyn, Thomas Drake, and John Phillips as concerning that plantation, and is in consideration of twenty fve pounds ten shillings which the sajd Isaack Walker paid me in part before the sealing heereof, and the remajnder that is behind the sajd Isaack is to pay me in goods on all demands after the 20<sup>th</sup> of December next, after the date heereof, only what I

already owe him to be allowed in part of payment. To the trueth hereof I  
bynd myself, my heires, execcuto's, & admin<sup>s</sup>trato's firmly by these presents.  
Witnes my hand & seale, the 2<sup>d</sup> of November, 1658.

1683.

16 May.

FRANCIS SMALLE, &amp; a seale.

Signed, sealed, and dd in y<sup>e</sup> psence of

Thomas Mihell,

Georg Ingersoll,

Jn<sup>o</sup> I Winslad,his m<sup>r</sup>k

Jonck.

George Ingersoll appeared before me the 28 of June, 1682, and made  
oath that he saw Francis Small signe, seale, and deliuer the aboue instrement  
the 28 of June, 1682.

Before me,

EDWARD TING, Jus<sup>r</sup>.

Endorst.

I, Isack Walker, of Boston, in New England, w<sup>th</sup> the consent of my  
wife, Susanna, for and in consideration of full payment & sattisfac<sup>o</sup>n by me  
in hand received of M<sup>r</sup> Richard Russell, of Charls Toune, doe heerby acknowl-  
edge to haue sold, & doe hereby sell, assigne, & make ouer the plantation  
mentioned in the inwritten deed, w<sup>th</sup> all the profits, priuiledges, & appur-  
tenances therevnto belonging, according as is expressed, to remajne to the sajd  
M<sup>r</sup> Richard Russell, his heires, execcuto's, administrato's, and assignes from  
the day of the date hereof for euer, w<sup>th</sup>out any interruption, molestation, or  
denyall of the sajd Isaak Walker, my heires, execcuto's, admin<sup>s</sup>trato's, or  
assignes, or any other person or persons, or other y<sup>t</sup> shall lay claime there-  
vnto. In witnes whereof, I haue heerevnto set my hand & seale, the two \* &  
twentieth day of August, 1667.

[\*400.]

ISACK WALKER, &amp; a seale.

Tež, James Russell,

Paul Dudley.

Entred & recorded, from 16<sup>th</sup> of May, 1683,

p EDW: RAWSON, Secrež.

Another of like tenno<sup>r</sup> & date, on y<sup>e</sup> backe side, of John Sares, his deed  
on island, is sajd insteed of plantatiō.

This attests

E. R., S.

1683.

16 May.

These are to testify to whom it may concerne, that Isaac Walker, of Boston, & Susanna, my wife, doe hereby acknowledg to haue given, granted, bargained, & sold vnto the wo<sup>r</sup>pp<sup>t</sup> M<sup>r</sup> Richard Russell, of Charles Toune, an island and plantation lying & being in Casco Bay, according to two seuerall deeds for the same, that are already signed, sealed, & deliuered to y<sup>e</sup> wo<sup>r</sup>pp<sup>t</sup> M<sup>r</sup> Richard Russell aforesajd, before witnesses, the which island & plantation is to remajne vnto the wo<sup>r</sup>pp<sup>t</sup> M<sup>r</sup> Richard Russell, his heires, exccuto<sup>r</sup>s, administrato<sup>r</sup>s, and assignes as his & their oune propper estate from the day of the date hereof foreuer. In wittnes whereof, wee haue herevnto set our hands, the 25<sup>th</sup> day of August, 1667.

ISAACK WALKER,  
SUSAN WALKER.

This writting was acknouledged by the subscribers to be their act & deed  
26 of August, 1667.

Before JOHN LEUERET, Assistant.

Entred & recorded heere, at the request of James Russell, Esq<sup>r</sup>, for 16  
May, 1683.

In ans<sup>r</sup> to the petiçōn of James Russell, Esq<sup>r</sup>, executo<sup>r</sup> to y<sup>e</sup> last will  
of y<sup>e</sup> late Richard Russell, Esq<sup>r</sup>, to approove, confirme the tract of land &  
plantation, w<sup>th</sup> Long Island in Casco Bay, y<sup>t</sup> his father long since purchased  
of Isaack Walker, as in y<sup>e</sup> petiçōn, the Court grants the petiçōners request  
therein, and stands one after the other recorded, word for word.

As attests EDWARD RAWSON, Secre<sup>t</sup>.

*\*Att a Generall Court for Elections, held at Boston, 16<sup>th</sup> May, 1683.*

16 May.

[\*401.]

SYMON BRADSTREET, Esq̃, was chosen Goūnor, & took his oath in open Court.

Thomas Danforth, Esq̃, was chosen Dep<sup>t</sup> Goūno<sup>r</sup>, & took his oath, 4 comiſs̃ in reſ.

Daniel Gookin was chosen an Assistant for y <sup>e</sup> yeare ensuing,	} & Maj <sup>r</sup> [Geñll.              & tooke y <sup>e</sup> ir oathes to y <sup>t</sup> place be- longing.
John Pynchon was chosen an Assistant,	
W <sup>m</sup> Stoughton was chosen an Assistant, & 1 <sup>st</sup> Coṃmission <sup>r</sup> ,	
Joseph Dudley was chosen an Assistant,	
Peter Bulkley was chosen Assistant, & 2 <sup>d</sup> Coṃmissio <sup>r</sup> ,	
Nathaniel Saltonstall was chosen an Assisť,	
Humphry Davy was chosen an Assistant,	
John Richards was chosen an Assistant,	
Samuel Nowell was chosen an Assistant, & 3 Coṃmiss̃i in re-	
Willjam Broune was chosen an Assistant, [serv.	
John Hull was chosen an Assistant,	
James Russell was chosen an Assistant, & Treasurer,	
Peter Tilton was chosen an Assistant,	
Bartholmew Gidney was chosen an Assisť,	
Saṃ Apleton was chosen an Assistant,	
Robert Pike was chosen an Assistant,	
Daniel Fisher was chosen an Assistant,	
John Woodbridge was chosen an Assistant,	

Edward Rawson was chosen Secreť.

The names of the deputies returned at this Court, first sessions : —

From Salem : M<sup>r</sup> Jn<sup>o</sup> Hathorne, 1 ſ.

Charls Tō : M<sup>r</sup> Timō Lyndon, 1 ſ, M<sup>r</sup> Richard Sprague, M<sup>r</sup> Jn<sup>o</sup> Phillips.

Dorchester : M<sup>r</sup> James Blake.

Boston : M<sup>r</sup> Anthō Stoddard, M<sup>r</sup> Elisha Cooke, Capť Edw̃ Hutchinson.

Roxbury : M<sup>r</sup> Edward Morrice.

Water Toun : M<sup>r</sup> Symon Stone.

Cambridg : M<sup>r</sup> Edw<sup>d</sup> Winship, M<sup>r</sup> John Stone.

Lynn : M<sup>r</sup> Andrew Mansfeild.

Ipsuich : Capť Jn<sup>o</sup> Whiple, M<sup>r</sup> W<sup>m</sup> Goodhue.



1683.

16 May.

Newbery: Cap<sup>t</sup> Daniel Pearce.  
 Weymouth: Cap<sup>t</sup> W<sup>m</sup> Torrey.  
 Hingham: M<sup>r</sup> Nathaniel Beales.  
 Concord: M<sup>r</sup> James Blood.  
 ^ ^ , Dedham.  
 M<sup>r</sup> Samuel Marshfeild, Springfield.  
 M<sup>r</sup> Jn<sup>o</sup> Pickard, Rowley.  
 M<sup>r</sup> Samuel Thompson, Brauntry.  
 Lef<sup>t</sup> W<sup>m</sup> Johnson, Wooborne.  
 M<sup>r</sup> Peter Ayres, Hauerill.  
 Cap<sup>t</sup> John Wayte, Maulden.  
 Lef<sup>t</sup> Phillip Smith, Hadley, 1 s.  
 M<sup>r</sup> Joseph Hawley, Northmp<sup>t</sup>, 1 s.  
 M<sup>r</sup> Jn<sup>o</sup> Haynes, Sudbury.  
 M<sup>r</sup> Jn<sup>o</sup> Broune, Redding.  
 M<sup>r</sup> Excercise Connant, Beūly.  
 M<sup>r</sup> John Hascoll, Gloucester.

M<sup>r</sup> Elisha Cooke was chosen Speaker to y<sup>e</sup> deputjes for y<sup>e</sup> session.

[\*402.]

Rating of catle  
to y<sup>e</sup> country  
rate.

\*This Court, considering that catle are rated to the country at a greater value then they will yeild from man to man, doeth therefore order, that henceforth all neat catle shall be rated to the country, viz<sup>t</sup>: oxen at four yeare old & aboue at three pounds a peece, all cowes & steeres at three yeares old & aboue at forty shillings a peece, & all of two yeare old at thirty shillings a peec, and yeare olds at fueteen shillings a peece, & swyne at a yeare old at tenn shillings a peece.

A new planta-  
tion and toun-  
ship granted to  
Major Thomp-  
son, &c.

This Court hauing information that some gentlemen in England are desirous to remoove themselues into this colony, & (if it may be) to settle themselues vnder the Massachusets; for the incouragement of such persons, & that they may haue some from among themselues, according to their motion, to assist & direct them in such a designe, this Court doth grant to Major Robert Thompson, Willjam Stoughton, & Joseph Dudley, Esq<sup>r</sup>, and such others as they shall associate to them, a tract of land, in any free place, con- teyning eight miles square, for a touneship, they setling in the sajd place, w<sup>th</sup>in fower yeares, thirty familjes & an able orthodox minister, and doe allow to the sajd touneship freedom from country rates for fower yeares from the time aboue lymitted.

In ans<sup>r</sup> to the petiçōn of Benjā Bosworth, Thō Steevens, Boaz Broune,

&c, inhabitants of Pompositticut, & at the motion of the committee there appointed to order the affaires of sd new plantation betweene Concord & Lancaster, called as aboue, this Court doth grant that place to be a towneship, & doe allow the chojce already made by the inhabitants of selectmen, constable, &c, provided they act nothing contrary to the instruction & order given them by the committee for the prudent distribution of their lands, & encouragement to the settling of a minister among them; and that the name of the said toun be Stow; and they are freed from country rates for three yeares next ensuing.

This Court judg meet to order the Treasurer forthwith to pay vnto M<sup>rs</sup> Dudley fiuety pounds money, for the supply of hir family in her husbands absence vpon the publick service of the country.

This Court, being informed by our agents, now in England, of the good will & freindship of Major Robert Thompson, of London, & his readiness vpon all occasions to be assistant to them in the service of this colony, wherein they are, according doe, by way of gratuity, give vnto the said Major Thompson & his heires five hundred acres of land in the Nipmug countrey, to be lajd out to him w<sup>th</sup>all reasonable convenience.

This Court, being informed by our present & former agents of the good will, freindship, & vnwearied paines, vpon all occasions, of M<sup>r</sup> John Collins to promote the welfare & prosperity of this colony, doe, by way of gratuity & acknowledgment, grant & give vnto the said M<sup>r</sup> John Collins & his heires, foreuer, five hundred acres of land in the Nipmuck country, to be lajd out to him, or his order, w<sup>th</sup>all reasonable convenienc; and this Court doe appoint Major Gookin, Cap<sup>t</sup> Hamond, & M<sup>r</sup> Samuel Andrws, survejor, or any two of them, a committee to lay it out, & make returne to this Court for their confirmation.

\*For the settlement of the souldjery at Newbery into two companjes, according to the order of this Court, it is ordered, that Thomas Noyce be capitaine of the second company, that Trystram Coffyne, leiftenānt, & Jacob Tappin, ensigne, & that comissions goe out accordingly, & the gentlemen doe forthwith meet & take care that the circuit of each company be determined.

Forasmuch as the troope belonging to Ipswich is without a captaine, the former, vpon his oune motion, dismiss, this Court doe appoint Cap<sup>t</sup> John Whiple to be captaine of that troope in the roome of Cap<sup>t</sup> John Apleton, & Corporall John Whiple to be coronet in the same troope.

In answer to the petition of a squadron of troopers, signed by Nathaniel Hayward, Jacob Barney, Edward Dodge, &c, in the name of the rest, the Court judgeth it meete to grant their request, that they be a distinct troope of

1683.

16 May.

A new plantation at Pompositticut, between Concord & Lancaster, now Stow, gr<sup>t</sup> to Benja. Bosworth, &c, & 3 yeares exemption from rates.

Courts gratuity of 50<sup>th</sup> money to M<sup>rs</sup> Dudley.

Courts grant to Major Robert Thompsons 500 acres.

Courts grant to M<sup>r</sup> Jn<sup>o</sup> Collins, 500 acres, &c.

Tho. Noyce cap<sup>t</sup>, Tristram Coffin le<sup>t</sup>, Jacob Tappin ensig, 2 compa. at Newbury.

[\*403.]

Comissions issued out.

Jn<sup>o</sup> Whiple, Sen<sup>t</sup>, cap<sup>t</sup> of y<sup>e</sup> troope at Ipswich, &c.

Comission issued out.

W<sup>m</sup> Raymond le<sup>t</sup>, Jn<sup>o</sup> Dodge, Sen., corn<sup>t</sup>, W<sup>m</sup> Dodg,

sone of farmer Dodge, qu<sup>ter</sup> m<sup>r</sup> of Beffly troop. Comiss. issued out.

1683. themselves, so as they prejudice not the ffoote company there, and doe appoint  
 16 May. Willjam Raymond, leif t, Jn<sup>o</sup> Dodg, Señ, cornet, & W<sup>m</sup> Dodge, the son of  
 Farmer Dodge, Señ, to be quarter m<sup>r</sup> to the sajd troope, the troopers being  
 inhabitants of Beuerly & Wenham.

Jn<sup>o</sup> Osgood  
 capt, Tho. Ba-  
 ker leif, Benja.  
 Kemball corn<sup>t</sup>,  
 of y<sup>e</sup> trooperas<sup>d</sup>  
 out of Andiu-  
 uer, Topsfeild,  
 & c, Bradford,  
 & c. 3 comiss.  
 issued out &  
 dd. to one  
 Johnson.

In answer to the petition of seüll inhabitants of Andiuer, Topsfeild, & c, the Court grants their request, & grants them, w<sup>th</sup> the consent of the capt or cheife officers of the ffoote company, liberty to compleate their troope to the number of forty eight men, besides comission officers, and doe appoint John Osgood to be capt of that troope, Thomas Baker leif t, & Benjamin Kemball cornet.

Ans<sup>r</sup> to Jn<sup>o</sup>  
 Bakers peti-  
 cion, a hearing  
 gr<sup>d</sup> in October  
 next y<sup>e</sup> 1<sup>st</sup> Fry-  
 day.

In ans<sup>r</sup> to the petition of Thō Baker, Jacob Touné, & Jn<sup>o</sup> How, the matter conteyned in sajd petiçon is referred to consideration to the first Fryday of the next sessions in October next by this Court, and that notice be given to all parties concerned then to appeare & attend their concernes therein.

Ans<sup>r</sup> to M<sup>r</sup>  
 Willis petiçon,  
 a hearing gr<sup>t</sup>  
 next session.

In answer to the petition of M<sup>r</sup> Edward Willis, the matter of this petiçon is by this Court referd to consideration vntil the next session of this Court in October.

Ans<sup>r</sup> to Robert  
 Bloods pet., a  
 hearing in Oc-  
 tober next  
 granted. Case  
 to be heard.

In ans<sup>r</sup> to the petition of Robert Blood & Elisabeth, his wife, liberty is granted to y<sup>e</sup> petiçoners at the next sessions of this Court in October next to produce his evidences, prooving the Gennerall Courts grant of the thousand acres of land given by Major Symon Willard in dowry w<sup>th</sup> his daughter Elisabeth, wife of the sajd Blood, & that the selectmen of Concord haue notice hereof, that the sajd touné (if they see cause) may then also attend & offer what they haue to say in refference to the pmisses mentioned; and the other cases refrd in October last are to be heard at y<sup>e</sup> next sessions, one after another.

Ans<sup>r</sup> to Hadley  
 petiçon.

In ans<sup>r</sup> to the petiçon of the inhabitants of Hadley, humbly desiring, for seuerall reasons therein mentioned, an enlargment of their bounds on their southerne bounds, & c, the Court judgeth meet to grant, as an addition of land, to the touneship of Hadley fower miles square, provided that Major John Pynchon may haue his five hundred acres, part of a former grant to him, & formerly taken vp w<sup>th</sup>in that tract, be referred to him, and lajd out to him in such forme as the selectmen of Hadley & he shall agree, and that sajd land be of the touneship of Hadley.

[\*404.]

A new planta-  
 tion below  
 Springfeild,  
 called Enfeild.

\*In answer to the petition from Springfeild & others, craving a touneship alitle below Springfeild at Freshwater Brooke, this Court doth grant a touneship there to the subscribers & such others as the comitteé this Court appoints shall associat to them; and that the bounds of sajd plantation be from the land Springfeild hath yeilded to them, viz<sup>t</sup>, at the mouth of the Long

Meadow Brooke below Springfield; from thence to run southward, by Connecticut Riuer, sixe miles; and the bounds or lje betweene Springfield and this new towneship to runn off from Connecticut Riuer, vpon a due east lje, tenn miles from the mouth of sajd Long Meadow Brooke, where it emptjes itselfe into the Great Riuer, aljas Connecticut Ryuer; and that the toune be called Enfeild; and for the admittance of inhabitants, granting allotments, & ordering all the prudentiall affaires of sd towneship, this Court doth appoint Majo<sup>r</sup> John Pynchon, Leiut Thō Stebbins, M<sup>r</sup> Samuell Marshfeild, Deacon Jonathan Burt, & Deacon Benjā Parsons, or any three of them, Majo<sup>r</sup> Pynchon being one, to be a comitte, who are fully empowred to mannage all the affajres of sajd towneship till this Court take further order; and that the sajd toune be freed from country rates for fve yeares from this time.

1683.

16 May.

5 yeares freedome from country rates.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Peter Tylton, Esq<sup>r</sup>, & y<sup>e</sup> Reu<sup>d</sup> M<sup>r</sup> John Russell, of Hadley, execcuto<sup>r</sup>s to the last will & testament of Henry Clarke, gen<sup>t</sup>, praying the Courts consideration & confirmation of their execution as is set forth in sajd petition, refference thereto being had, the Court doe hereby impower & order the County Court of Hampshire to examine their accounts, & disbursments, & whole proceedings relating to the premisses, & to ap-  
prooue of & fully confirme the same, or otherwise to make report of the state of the case to the next sessions of this Court.

Ans<sup>r</sup> to M<sup>r</sup> Tilton & M<sup>r</sup> Russells petition.

In ans<sup>r</sup> to the petition of Sarah Wallingford, this Court reffers the peti-  
tiōner to the County Court in Essex, who are hereby empowred to doe herein as they shall judg meet.

Ans<sup>r</sup> to Sarah Wallingfords petition.

In answer to the petition of Francis Barnard, humbly desiring this Courts favo<sup>r</sup> to order him tenn pounds mony out of what is due to him from the country, as in his petiōn, &c, it is ordered, that the Treasurer pay to the petitioner tenn pounds in or as money, & charge the same to the account of Hadley, provided the selectmen of sajd toune doe signify, vnder their hands, to the Tresurer, that there is so much due to the petiōner.

Ans<sup>r</sup> to Francis Barnards petition, & 10<sup>li</sup> granted, &c.

In answer to the petition of Mary Kemble, the Court judgeth it meet to referr the consideration & determination of what is desired in sajd petition to the County Court of Suffolke, as in their wisdom they find just.

Ans<sup>r</sup> to Mary Kembles petition, &c.

\*In answer to the petition of Samuel Stow, of Marlborow, humbly desiring the favo<sup>r</sup> of this Court to grant him liberty to purchase of the Indians there, out of their sixe thousand acres, twenty acres, he hauing but very litle accomodation in land, and it lying convenient for his enlargement, the Indians hauing binn treated with, & they being willing & consenting thereto, the Court judgeth it meet to grant the petiōners request herein.

[\*405.]

Ans<sup>r</sup> to Sam. Stowes peti-  
con.

In ans<sup>r</sup> to the petiōn of W<sup>m</sup> & Anna Hawkins, this Court grants a



1683.

16 May.  
Ans<sup>r</sup> to Elisabeth  
Jn<sup>n</sup>son,  
relict of Isa.  
Johnson.

hearing of their case on the first Fryday of the session in October next, & orders, that all persons concerned be su<sup>m</sup>ond then to attend.

The grant made by y<sup>e</sup> Ge<sup>n</sup>ll Court in February last to Elisabeth Johnson, being suggested by her freinds that it would be much more to hir comfort in hir present issues to haue an order to receive tenn pounds of the Treasurer in country pay, the Court grants hir motion for the Tresurer to pay her tenn pounds in country pay.

Ans<sup>r</sup> to Jn<sup>n</sup>  
Muns peti<sup>ti</sup>on,  
12<sup>th</sup>.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of John Mun, it is ordered, that the Treasurer pay him forty shillings in money, and tenn pounds out of Hampshire rate in country pay.

Ans<sup>r</sup> to M<sup>r</sup>  
Jones motion,  
y<sup>e</sup> 500 acres  
grant. to Theophilus Eatons  
children confirmed, &c,  
Theo. Eaton.

In ans<sup>r</sup> to a motion made to this Court at request of the children of the aboue named Theophilus Eaton, Esq<sup>r</sup>, deceased, the Court, having reuised their papers, doe allow & confirme the land lajd out as expressd therein, provided that it exceed not fiuety acres more then the fiue hundred granted them, and that the forme be reduced to a square or rombojds, and doe not prejudice any former grant.

Ans<sup>r</sup> to Jn<sup>n</sup>  
Wales & Content  
Masons  
peti<sup>ti</sup>on.

In answer to the petition of John Wales & Content Mason, his daughter, relict of John Mason, humbly desiring that the like power of making sale & confirming deeds as was formerly by y<sup>e</sup> Court granted to John Mason, & no otherwise, may be by this Court granted to them, being the administrators of the sajd John Masons estate, the Court grants their request, & impowers them hereby accordingly.

Ja<sup>s</sup> Russell.

In ans<sup>r</sup> to the request of James Russel, Esq<sup>r</sup>, on behalfe of M<sup>rs</sup> Mehittable Foster, late relict of the late M<sup>r</sup> Daniel Russell, for the securing of Mehitabel Russell portion, or fiue hundred pounds, the Court doe allow of & confirme the sale of the houses & lands of M<sup>r</sup> Daniel Russells by his execcutrix, provision thereby being made for the securing the sajd Mehitabel the daughters halfe thereof, that belonged to hir father in Charls Toune, by fiue hundred acres of land in New Cambridge, being part of y<sup>e</sup> farme Cap<sup>t</sup> Prentice doth & hath long improoved.

[\*406.]

Ans<sup>r</sup> to W<sup>m</sup> &  
Anna Hawkins  
peti., case to be  
heard on 1<sup>st</sup>  
Fryday.

Co<sup>m</sup>ittee as to  
ordinarys.

Co<sup>m</sup>ittee to re-  
turne y<sup>e</sup> thanks  
of the Court,  
&c.

\*In ans<sup>r</sup> to the petition of W<sup>m</sup> Hawkins & Anna, his wife, the Court grants a hearing of the case on the first Fryday of the session that shall be in October next, & all persons concerned to be su<sup>m</sup>oned then to attend.

It is ordered, that W<sup>m</sup> Stoughton, John Hull, & James Russell, Esq<sup>s</sup>, the former co<sup>m</sup>ittee, be continued, to agree w<sup>th</sup> the ordinary.

It is ordered, that W<sup>m</sup> Stoughton & Humphry Davy, Esq<sup>s</sup>, be desired to returne the thanks of this Court to M<sup>r</sup> Torry for his paynes in sermon at the election, & signify to him the Courts desire that he prepare & fitt his sermon for the presse.

It is ordered, that the cases should haue binn heard on Tuesday be respitted, & referd to the 1st Tuesday in the sessions in October, at 8 of the clocke.

1683.

16 May.

Time appointed to heare cases.

Quansiggamon plantation bounds, since called Worcester.

Being called and desired by Majo<sup>r</sup> Daniel Gookin, Esq<sup>r</sup>, Cap<sup>t</sup> Thomas Prentice, & Cap<sup>t</sup> Daniel Hinchman, a comitte of the Gennerall Court, to order the affajres of a plantation at Quansiggamond, to lay out the sajd plantation according to the Generall Courts grant dated the 24<sup>th</sup> of October, 1668, to the contents of eight miles square, hauing accordingly surveyed the same, and draune this plat for the Courts confirmation, dated the 19<sup>th</sup> of May, 1683, and is beginnīg from the south east angle at a chesnut m<sup>r</sup>kt tree of Quansiggamon Pond, & so thrō a g<sup>r</sup>t pine swampe & ouer Patchaog Hill at a S. W. angle at a pine tree nineteen hundred & twenty rod, y<sup>e</sup> cours S. W. & by W. ; and from the south west angle, at a pine tree markt, runnīg N. & by west thrō riuers & swamps 3 thousand seven hundred & sixty rods to a birch markt tree at the north west angle, the cours N. E. by E., nineteen hundred & twenty rods, to a white oak markt, & from the sajd white markt oake angle tree to a m<sup>r</sup>kt stake two thousand two hundred & fiuety rod, y<sup>e</sup> course S. & by E. forty fiue minuts easterly, and from the sajd markt stake to ther northmost end of Quansiggamon Pond sixe hundred and fiue rods south & by E. sixe degrees easterly, and from the north end of Quansiggamon Pond to the S. E. angle where wee first begann at y<sup>e</sup> chesnut tree nine hundred and twenty rod, y<sup>e</sup> cours south fiue degerees fiuteene minuts easterly.

The Court approoves of this returne.

E. R., S.

\*In answer to the petition of M<sup>r</sup> Samuel Shrimpton, for the release of the quitt rent & incumbrance vpon Nodles Island, in the payment of forty shillings or otherwise annually, as in the sajd petition is expressed, this Court hath consented & doe heereby for euer release & set ffree the sajd island from the sajd duty & payment, or what euer other incumbrance the sajd island & lands thereof is by the sajd grant chardged with ; and that the same be holden by the sajd Samuell Shrimpton, his heires & assignes, for euer in ffee, w<sup>th</sup>out any incumbrance whatsoever, vpon no other condition but the payment of thirty pounds money sterling of England to Joseph Dudley & John Richards, Esq<sup>r</sup>s, our agents in England, or either of them ; and their receipt, w<sup>th</sup> copy of this grant, to be his dischargd accordingly.

[\*407.]

This stands entred from 7 Feb<sup>r</sup>, 1682, being slipt or forgott. This was to be entred 7 Feb., 82. Ans<sup>r</sup> to Mr Samuell Shrimptons petition, Nodles Island freed & released from any rent, &c.

1683. \**Att the second Sessions of the Generall Court, held at Boston,*  
*10<sup>th</sup> Octob., 1683.*

10 October.

[\*408.]

PRESENT, Symon Bradstreet, Esq̃, Gofi,  
 Thomas Danforth, Esq̃, Dep<sup>t</sup> Gofi,  
 Daniel Gookin,  
 Willjam Stoughton,  
 Joseph Dudley, 15.  
 Peter Bulkley,  
 Nathaniel Saltonstall,  
 W<sup>m</sup> Broune,  
 Saffi Nowell,  
 John Richards,  
 James Russell,  
 Peter Tylton,  
 Bartholmew Gidney,  
 Saffi Apleton,  
 Robert Pyke,

} Esq̃s.

**I**T is ordered by this Court & the authority thereof, that all the lawes vnder the head or title of Imposts, Impost of Wine, & Strong Liqueors, Impost vpon Goods and Prouissions, with any explanation or addition made therevnto, and the law titled Publicke Charges, section the third, referring to the Treasurers issuing out warrants to the constables for collecting of assessments yearely, shall be and remajne in force for this present yeare, and vntill the tenth day of June, which will be in the yeare 1684, and for no longer time, any law, vsage, or custome to the contrary notw<sup>th</sup>standing.

As an addition to the law, title Inkeepers: whereas that law, sectiō 3<sup>d</sup>, imposes a fine of fiue shillings on the licensed persons that are the breakers of that law, this Court doeth order, that the pœnalty for the breach of that law shall henceforth be forty shillings.

Law for erect-  
 ing 2 grāmār  
 schooles in  
 townes, &c,  
 & pœnalty.

As an addition to the law, title Schooles, this Court doth order and enact, that euery toun consisting of more then fiue hundred familjes or householders shall set vp & mainteyne two grāmār schooles and two wrighting schooles, the masters whereof shall be fitt and able to instruct youth as sajd law directs; and whereas the sajd law makes the pœnalty for such townes as provide not schooles as the law directs to pay to the next schoole ten pounds, this Court

heereby enacts, that the pœnalty shall be twenty pounds where there are two hundred familjes or householders.

1683.

For the prevention of deceite & cousenage by persons being taken by execution, or deliuering themselves ouer as servants vnto any, thereby to prevent their credito's taking hold on them, it is ordered & enacted by this Court & the authority thereof, that henceforth no person or persons shall be taken or deliuered ouer by execution, or shall deliuer vp themselves to any one or more of their credito's in way of service for sattisfaction of any debt or debts owing by him or them, vnless it be with the knowledge & approbation of the Court of that county where such debto<sup>r</sup> or credito<sup>r</sup> dwell, that they may receive sattisfaction in the justness of the debt, & likewise sett the time that the debto<sup>r</sup> shall serve, and that it may be publickely declared that he is a servant, provided this order shall not be interpreted so as to obstruct the legall procedure of any other credito's against any person so disposed to service, either formerly or heereafter.

10 October.  
Order regu-  
lating s<sup>r</sup>vitude  
by execution.

\*On the petiçõn of y<sup>e</sup> administratrix & administrato's to y<sup>e</sup> estate of the late D<sup>r</sup> Isack Waldron, desiring that there may be a procedure of the case referd from this Court in October & May last between sajd Waldron & Cap<sup>t</sup> Theophilus Frary, Left Wing, & Ensigne Walke, the Court ordered a hearing of the case on Fryday next, at eight of the clocke in the morning: at the time y<sup>e</sup> parties appeard & made the pleas.

[\*409.]

Courts judgm<sup>t</sup>  
inter Waldron  
& Frary, &c.  
20 Octo.

In the case of Priscilla Waldron & John Vsher, administrato's of Isack Waldrons, plaintiff, by petiçõn, on the one part, & Cap<sup>t</sup> Theophilus Frary, Left Wing, & Ensign Walke, on the other part, the attachment, Courts judgment, & the euidence produced were read & considered: the Court doe judge for the plaintiffs the reuersion of former judgments, twenty shillings damage, and costs of Courts, with fower pounds for hearing of the case.

In answer to the petiçõn of Mary Fairebancks, widdow, this Court doth order, that her farme shall apperteine to Sherborne, according to the former settlement made by the Generall Court, and that such rates as she hath payd to Meadfeild since the aboue sajd settlement shallbe by them returned to hir againe.

Courts ans<sup>r</sup> to  
Mary Fair-  
banks petiçõn,  
& determina-  
tion between  
Sherborn &  
Meadfeild.

In ans<sup>r</sup> to the petition of Thomas Baker, Jacob Town, & John How, in behalfe of the toune of Topsfeild, for explanation of an order of Court made the 19<sup>th</sup> of October, 1658, referring to lands granted by Salem within Topsfeild bounds, vpon a full hearing of the case, and what hath binn alleadged, both by Salem & Topsfeild, the Court doe judge that the aforesaid order refferrs only to such lands as were granted by Salem before the tenth of May, 1643.

Courts interpreta-  
tion of y<sup>e</sup> order  
19 October,  
58, & Courts  
judgm<sup>t</sup> inter  
Topsfeild &  
Salem.



1683.

10 October.  
Courts judgment & determination of y<sup>e</sup> case inter Butler & Holloways.

Whereas this Court, in order to the settlement of the controuersy between Stephen Butler & the children of Willjam Holloway, Señ, did order or determine that the sajd children of Willjam Holloway, viz., Willjam Holloway, Juñ, Benjamin Holloway, & Mary Holloway, should, w<sup>th</sup>in one yeare, make payment to the abouesajd Butler of one hundred and fluety pounds in money, by fower even & æquall quarterly payments, which, though legally demanded of them, they haue fajled in the payment off, this Court doth therefore heereby declare and appoint, that the abouesajd children of Willjam Holloway, Señ, shall beginn their first payment of thirty seuen pounds ten shillings money w<sup>th</sup>in three months after the date of this order, and so continue the like payment quarterly till the sume of one hundred and fifty pounds be paid, or else execution shall be granted against the ground \*and housing lived in.

[\*410.]

Courts judgment inter Lord & Bishop.

In the case of Robert Lord, marshall, by petition, plaintiff, against Samuel Bishop, defendant, after the attachment, Courts judgment, & all the evidences in the case produced were read & considered, the Court declared they found for the plaintiff reuersion of the former judgment, and that each party beare his oune charges, and each pay thirty shillings for the Courts hearing of the case.

Courts judgment inter Willys & Haugh.

In the case betweene M<sup>r</sup> Edward Willis, plaint<sup>r</sup>, & M<sup>rs</sup> Ann Haugh, relict & administratrix of M<sup>r</sup> Samuel Haugh, of Boston, deceased, defendt, this Court, finding the execution serued by way of extent on the estate of sajd Haugh to be without warrant of law, declare the same to be null and voyd; also, that the judgments of Courts on two bonds haue not before now been chancerjed, doe finde for the plaintiff three hundred sixty eight pounds fowerteen shillings and fower pence money, to be levyed vpon any part of that estate, reall or personall, that the sajd Samuel Haugh dyed seized of, this Court, by their order, May 19, 1680, hauing declared that estate lyable to payment of debts.

Courts answer to W<sup>m</sup> & Anna Hawkins petition, &c.

In ans<sup>r</sup> to the petition of Willjam & Anna Hawkins, & on pervsall of what evidences in the case were produced, and it not appearing to this Court that all of the claymers to the land mentioned in the petition haue binn legally summoned, and only one of the persons appearing to make his deffence, the Court judgeth mcete to respitt the determination of this case vntill the first Fryday of the next sitting of the Gennerall Court, and that summons be by sajd Hawkins procured and sent to all persons concerned then to appeare.

Committee to take the Tres<sup>r</sup>s account to be examined & retorne to be m<sup>d</sup>.

Cap<sup>t</sup> John Richards, & M<sup>r</sup> Nowell, Esq<sup>rs</sup>, w<sup>th</sup> M<sup>r</sup> Elisha Cooke, Leif<sup>t</sup> W<sup>m</sup> Johnson, Cap<sup>t</sup> Elisha Hutchinson, Cap<sup>t</sup> Richard Sprague, are appointed a committee to examine the Treasurers account, and to make retorne thereof to

the next sitting of this Generall Court, Cap<sup>t</sup> Richards to appoint the tyme of meeting. 1683.

10 October.

In answer to the petitions of Nathaniel Bishop, Samuel Norden, Cleoment Grosse, & Susanna Woolfe, this Court doth order, that they be freed from their present imprisonment, any law to the contrary notwithstanding.

\*For the defraying of country charges, it is ordered by this Court and the authority thereof, that there shall be two single country rates for this present yeare, one whereof to be paid in country pay, according to law, at these prizes following, viz<sup>t</sup>, wheat at five shillings p bussell, Indian corne at three shillings, rye at three shillings sixe pence, barley & barley mault at fower shillings, & oates at two shillings p bushell, all to be good, well winnowed, and merchantable corne, and the other rate to be paid in money, & whoeuer payes mony instead of corne shall be abated one third; and what is paid on the country rate, except grajne, is to be paid at mony prize, provided that no leane catle & horses be paid for said rates. [\*411.]  
2 rates for y<sup>e</sup> yeare.

In ans<sup>r</sup> to the petition of M<sup>r</sup> James Allen & Francis Nurse, the Court judges it meet to grant a hearing of the matters therein conteyned on the first Fryday of the next sitting of the Generall Court, at eight of the clocke in the forenoone, and that the secretary, by warrants, signify the same to all persons concerned then to appeare, and attend the issue, and that, in the meane time, neither of the claymers make any strip or wast vpon the land in controuersy, and that execution for the judgment of the last Court of Assistants referring to this case be respitted. Ans<sup>r</sup> to M<sup>r</sup> Allen & Nurse his petition.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> Willjam Toirey, the Court grants the peti<sup>c</sup>ōner, y<sup>e</sup> five hundred acres of land, in any vacant place. Ans<sup>r</sup> to Cap<sup>t</sup> Torreys peti<sup>c</sup>ōn.

In ans<sup>r</sup> to the peti<sup>c</sup>ōn of seūll inhabitants w<sup>th</sup>in the bounds of Cambridge, the Court respitts the consideration of this case till the first Tuesday after the next election. Ans<sup>r</sup> to Cambridge inhabit<sup>ants</sup> peti<sup>c</sup>ōn.

Jonas Clark, of Cambridge, his farme of three hundred acres, neare Dunstable l<sup>j</sup>ne, on y<sup>e</sup> east side of Merremack, lajd out the 6 8 m, 1682, by Jonathan Danforth, surveyor, <sup>acule</sup><sub>120 poi</sub>  
<sub>a ft m.</sub>, runing west 39 deg<sup>r</sup> two hundred thirty eight pole to a corner, a litle red oake standing south 51 deg<sup>r</sup> east two hundred & two pole to y<sup>e</sup> corner, where two pines & stones, the north line 39 deg<sup>r</sup> east two hundred thirty & eight pole to y<sup>e</sup> corner, a pjne north 51 deg<sup>r</sup> west two hundred & two pole to y<sup>e</sup> corner, where a litle pine is.

\*On a further motion made, this Court doth approove of the returne herevnto annexed, confirming said lands to the heires of Theophilus Eaton, Esq<sup>r</sup>, deceased, according to the grant made thereof by the Generall Court, 19<sup>th</sup> May, 1680, five hundred acres, lajd out by John Heynes, w<sup>th</sup>in these M<sup>r</sup> Jones 500 ac<sup>s</sup> lajd out to Theo<sup>s</sup> Eatons heirs. [\*412.]

1683.

10 October.

ljnes: the first ljne S. S. east one mile, the second ljne west S. west 180 pole, the 3 line noř noř west two hundred & forty rod, the 4 ljne runs west one mile, the 5 line forty rod N., the 6<sup>th</sup> ljne one hundred rod north east, seventh ljne east noř east one hundred rod, the 8<sup>th</sup> line east S. east one hundred & eighty rod.

Ans<sup>r</sup> to W<sup>m</sup>  
Naffs petiçon.

In ans<sup>r</sup> to the petition of Willjam Naffe, of Hauerill, administrato<sup>r</sup> to the estate of Thomas Daus, ad<sup>m</sup> grand father, the Court grants the petitioner liberty to sell so much land as may atteyne the ends proposed, provided the honnord Major Saltingstall & Leif<sup>t</sup> Georg Broune, of Hauerill, examine how much is necessa<sup>r</sup> to be disposed of, and that they both concurr in the sale thereof.

Ans<sup>r</sup> to Jabez  
Musgraves pet.

In ans<sup>r</sup> to the petiçon of Jabez Musgrau, of Newbery, the Court judgeth it meet to allow the petiçoner twenty shillings p annū out of the publick treasury, in rate pay, besides what the toune of Newbery shall contribute to his necessity, & this during the Courts pleasure.

Tresurer to pay  
M<sup>r</sup> Seawall 10<sup>0</sup>  
17<sup>s</sup>.

It is ordered, that the Tresurer of the country, as soone as can, satisfy & pay in mony to M<sup>r</sup> Samuel Seawall tenn pounds seventeen shillings, for printing M<sup>r</sup> Samuel Torreys sermon at the last election.

Courts gr<sup>t</sup> of  
1000 ac<sup>res</sup> to Pe-  
ter Bulkley,  
Esq<sup>r</sup>.

This Court doe grant to Peter Bulkley, Esq<sup>r</sup>, one thousand acres of land in any place free from former grants, where it may not obstruct the being of a plantation.

M<sup>r</sup> Jn<sup>o</sup> Gore  
a surveyor.

M<sup>r</sup> John Gore is nominated & approved of to be a surveyo<sup>r</sup> of land for laying out the grants of this Court, he taking his oath in that case provided.

500 ac<sup>res</sup> gr<sup>t</sup>ed to  
Edw<sup>d</sup> Rawson.

In answer to a motion made, the Court doe grant to M<sup>r</sup> Edward Rawson five hundred acres of land, to be lajd out in any free place, not prejudicing any plantation.

Ans<sup>r</sup> to Phœbe  
Blantis peti-  
çon.

In ans<sup>r</sup> to the petition of Phebe Blantin, the Court sees no cause to make any alteration of hir late husbands will.

[\*413.]

Ans<sup>r</sup> to Cap<sup>t</sup>  
Claps petiçon  
as to y<sup>e</sup> Castle.

\*In answer to the petition of Cap<sup>t</sup> Roger Clap, captaine of the Castle, it is ordered, that Captaine Elisha Hutchinson, Cap<sup>t</sup> John Faireweather, & Cap<sup>t</sup> Ephraim Sauage be added vnto the co<sup>m</sup>ittee for the ouersight of the repajres of the Castle, and that y<sup>e</sup> country Treasurer make payment of what shall be judged necessary by the sajd co<sup>m</sup>ittee, or any three of them, either for procuring materialls or payment of workmen.

Troope of hors  
milit. officers.

It is ordered, that leiften<sup>nt</sup> be captaine of the troope of horse, M<sup>r</sup> Timothy Dwight leiften<sup>nt</sup>, and Thomas Swift cornet of the troope of horse in Boston, & M<sup>r</sup> John Vsher quarter master.

Jn<sup>o</sup> Richrds  
sarj. major.

It is ordered, that Jn<sup>o</sup> Richards, Esq<sup>r</sup>, be sarj<sup>t</sup> majo<sup>r</sup> of y<sup>e</sup> regiment in Boston.

It is ordered, that Leiu<sup>t</sup>ent Daniel Turel be captaine of the foote company lately vnder the comānd of Majo<sup>r</sup> & Cap<sup>t</sup> Thomas Clarke, M<sup>r</sup> John Olliuer to be his leiftenñt, & Sarjant Jn<sup>o</sup> Moore to be his ensigne.

1683.

10 October.

Dani. Turell  
cap<sup>t</sup>, &c.Jn<sup>o</sup> Wyng cap<sup>t</sup>.

It is ordered, that Leftenñt Jn<sup>o</sup> Wyng be captaine of y<sup>e</sup> ffoot company late vnder y<sup>e</sup> comānd of Cap<sup>t</sup> Daniel Hinchman, Isack Walker to be his leiftenñt, & M<sup>r</sup> Francis Foxcraft to be ensigne.

It is ordered, that M<sup>r</sup> Tymothy Prout be captaine of all the fortifications, gunners, & moutrosses in Boston, & great artillery thereto belonging, and that he be added to the comittee of militia in Boston.

It is ordered, that Cap<sup>t</sup> Jn<sup>o</sup> Apleton be cap<sup>t</sup> of Ipsuich troope of horse, M<sup>r</sup> John Whiple to be his leiftenñt, & M<sup>r</sup> Thomas Wade his cornett.

Comi. issued  
out, officers to  
Ipswich troop.

It is ordered, that Bartholmew Gidney, Esq<sup>r</sup>, be captaine of the ffoot company late vnder the comānd of Cap<sup>t</sup> John Corwin, deceased, y<sup>t</sup> Israell Porter be his leiftenñt, & Jn<sup>o</sup> Marston to be his ensigne.

Salem officer to  
y<sup>e</sup>r foot com-  
pany.

It is ordered, that Thomas Fiske be captaine of the ffoot company at Wenham, Charles Gott be his leiftenñt, & W<sup>m</sup> Fiske his ensigne.

Wenham offi-  
cers.

\*M<sup>r</sup> W<sup>m</sup> Broune, Juñ, hereto chosen captaine of the troope of horse in & about Salem, hauing absolutely declined to accept of that office, manifesting the same in his letter to y<sup>e</sup> majo<sup>r</sup> gennerall, the Court doth therefore choose & appoint M<sup>r</sup> John Higginson, Juñ, to be captaine of Salem troope, & M<sup>r</sup> Thomas Gardiner to be his leif<sup>t</sup>. And it is ordered, that Cap<sup>t</sup> Higginson haue the like liberty to lyst souldjers to fill vp his troope, as was formerly ordered by this Court for Cap<sup>t</sup> Broune.

[\*414.]

Jn<sup>o</sup> Higginson,  
Jun., cap<sup>t</sup> of  
Salem troop.

It is ordered, that Majo<sup>r</sup> Robert Pike shall haue comission for captaine of the troope, or remainder of the troop, on the north side of Merrimack, belonging to the toune of Salisbury, and Amesbury, & Hauerill, and that he may fill vp his troope, not exceeding the number of forty eight souldjers, according to y<sup>e</sup> direction of law.

Major Pike  
cap<sup>t</sup> of y<sup>e</sup> troop  
on north side  
of Merri-  
macke.

It is ordered, that Thomas Chandler be leftenñt to y<sup>e</sup> ffoot company in Andiuier, John Steephens ensigne, vnder the conduct of Dudley Bradstreet, cap<sup>t</sup>.

Andiuier mili-  
tary officers.

It is ordered, that Jn<sup>o</sup> Legg be leiftenñt, & Erasmus Steephens ensigne of y<sup>e</sup> ffoote company at Marblehead, vnder Samuel Ward, cap<sup>t</sup>.

Marblehead of-  
ficers.

It is ordered, that Jonathan Danforth be captaine of the ffoote comp<sup>a</sup> at Billirrica, Joseph Thompson leifteñt, & Ralph HiH ensigne.

Billirrica offi-  
cers.

John Fiske is appointed ensigne to the ffoot company at Chelmsford.

Jn<sup>o</sup> Fiske en-  
signe.



1683. *\*. At a Gennerall Court called to sitt in Boston, 7<sup>th</sup> November, 1683,  
by order from the Gounor & Magests, mett in Boston, & then  
satt.*

7 November.

[\*416.]

PRESENT, Symon Bradstreet, Esq̃, Goſ,  
Thō Danforth, Esq̃, Dep<sup>t</sup> Goſ,  
Daniel Gookin,  
W<sup>m</sup> Stoughton,  
Joseph Dudley,  
Peter Bulkley,  
Nathān Saltonstall,  
W<sup>m</sup> Broune, Jr,  
Jn<sup>o</sup> Richards, } Esq̃s.  
James Russell,  
Barthol<sup>o</sup> Gidney,  
Saml Apleton,  
Robert Pyke,  
John Woodbridge,

Names of the deputjes returnd to serve at this Court were, —

Mr Edmōd Batter, Mr Heñ Bartholmew, Salē.

Cap<sup>t</sup> Riēd Sprague, Leif<sup>t</sup> Jn<sup>o</sup> Phillips, Charls T.

Mr W<sup>m</sup> Sumner, Mr James Blake, Dorches<sup>t</sup>.

Mr Anthō Stoddard, Mr Elisha Cooke, Cap<sup>t</sup> Elisha Hutchinson, Boston.

Mr Edw<sup>d</sup> Morrice, Mr Joseph Griggs, Roxbury.

Mr Symon Stone, Mr Thomas Fox, Water T.

Leif<sup>t</sup> Edw<sup>d</sup> Winship, Camb<sup>r</sup>.

Mr Andrew Mansfeild, Lynn.

Mr W<sup>m</sup> Goodhue, Leif<sup>t</sup> Thō Burnham, Ipswich.

Cap<sup>t</sup> Dan<sup>i</sup> Pearse, Newbery.

Cap<sup>t</sup> W<sup>m</sup> Torrey, Cap<sup>t</sup> Jn<sup>o</sup> Holbrook, Weymō.

Cap<sup>t</sup> Jn<sup>o</sup> Smith, Mr Nath Beales, Hinghm.

Mr Edw<sup>d</sup> Oakes, Concord.

Mr Jn<sup>o</sup> Aldis, Leif<sup>t</sup> Nath Sternes, Dedham.

Mr Jn<sup>o</sup> Heynes, Sudury.

Mr Saml Tompson, Braintry.

Leif<sup>t</sup> W<sup>m</sup> Johnson, Maldn.

Ensigne Ja: Convers,

Mr Jn<sup>o</sup> Thirston, Medf.

Capť Jn<sup>o</sup> Wayt, Maulden.  
 Mr John Pearson, Rowley.  
 Mr W<sup>m</sup> Blake, Milton.  
 Leifř Thō Baker, Topsfid.  
 Mr Joseph Rice, Marlboř.  
 Lefř Jn<sup>o</sup> Dodge, Beřly.  
 Mr James Steevens, Gloster.  
 Lefř Georg Broun, Hauerill.  
 Capť Jn<sup>o</sup> Hinchman, Chelmsfō.  
 Mr Medad Pomery, North.  
 Mr Heř Phillips, Mr Sař Patrige, Hadley.  
 Capť Dudley Bradstreet, Anduer.  
 Mr Sař Sewall, Westfeild.  
 Capť Jamě Parker, Groaten.  
 Enř Hannaniah Parker, Reddng.  
 Capť Thō Fiske, ^ . — 47.

1683.

7 November.

Mr Elisha Cooke was chosen Speaker y<sup>s</sup> session.

**A**T the opening of this Court the Governo<sup>r</sup> acquainted the Court, that since the last sitting of this Court Edward Randolph, Esq<sup>r</sup>, arrived, & had presented him w<sup>th</sup> his maj<sup>t</sup>jes councils act, & his maj<sup>t</sup>jes declaration & proclamation, w<sup>th</sup> the quo warranto y<sup>t</sup> was issued out ag<sup>t</sup> the Gořno<sup>r</sup> & Company, &c, w<sup>ch</sup> was, —

Carolus Sčđus, Dej grā Angł, Sco<sup>e</sup>, Franč, & Hiřnia, Rex, Fidej Defenso<sup>r</sup>, řč, viřibz London, salřm p<sup>r</sup>cipim & voř q<sup>d</sup> venire fa<sup>c</sup> corā noř a dje in Michiř in tres sepřm, vbicuncq<sup>ue</sup> tunc fuiř in Angł, Symon Bradstreet, nup de London, Ař, Thomā Danforth, de eařm, Ař, Daniel Gookin, de eařm, Ař, Johem Pinchen, de eařm, Ař, Willjam Stoughton, de eařm, Ař, Petrū Bulkley, de eařm, Ař, Nathaniel Saltenstall, de eařm, Ař, Humfrid Davy, de eařm, Ař, Willi Broune, de eařm, Ař, Samuel Nowell, de eařm, Ař, Johem Hull, de eařm, Ař, Jacobū Russell, de eařm, Ař, Petrū Tylton, de eařm, Ař, Bartholō Gidney, de eařm, Ař, Samuel Apleton, de eařm, Ař, Robertū Pyke, de eařm, Ař, Daniel Fisher, de ^, yeořm, Johem Wajte, de eařm, yeořm, Wjłm Johnson, de eařm, yeořm, Edřm Quinsey, de eařm, yeořm, Elisha Cooke, de eařm, Geř, Elisha Hutchinson, de eařm, mercatoř, Edřm Batter, de eařm, yeořm, Laurentiū Hamond, de eařm, yeořm, Josephū Dudley, de eařm, Ař, Johem Richards, de eařm, Ař, Williā Torrey, de eařm, yeořm, Johem Faireweather, de eařm, yeořm,

1683. Anthony Stodder, de ead̄m, yeof̄m, & Daniel Turell, Señ, de ead̄m, nigř  
 7 November. fferañ, ad respondend̄ noḥ quo warranto clamat here, vtj et gaudere diues  
 libertať, priuileḡ et franchises infra ciuiť London, & liḥtať ejusd̄m ac in om̄ibz  
 locis extra ciuiť London p̄d̄, infra hoc regñ Angł, nec non in qua pluř  
 partibz tr̄nsmařm, extra hoc regñ Angł unde impetit sunt es<sup>t</sup>heat ibi hoc brē.

THOMA JONES, miť apud Westm̄, xxvij die Junij, ann<sup>o</sup> regni  
 nři xxxv.

ASTRY.

Vera copea exajat, 9<sup>o</sup> dje Julj, 1683.

RI: NORMANSELL, Secondarū vič London.

& y<sup>e</sup> same in English.

At the Court at White Hall, the 20<sup>th</sup> of July, 1683.

PRESENT,	The Kings most excellent Majesty,
Lord Arch Bishop of Canterbury,	Earle of Bath,
Lord Keeper,	Earle of Craven,
Lord President,	Earle of Aylesbury,
Lord Privy Seale,	Earle of Conway,
Duke of Ormond,	Viscount Faulconbridge,
Duke of Albemarle,	Lord Bishop of London,
Earle of Peterborough,	Lord Dartmouth,
Earle of Sunderland,	M <sup>r</sup> Chancellor of the Exchequer,
Earle of Clarendon,	M <sup>r</sup> Chancellor of the Duchy.

[\*417.] \*The right honno<sup>r</sup>ble the lords of the co<sup>m</sup>ittee for trade and foreigne  
 plantations hauing this day presented to the board a report concerning New  
 England, together with the draught of a declaration from his maj<sup>ty</sup> to the  
 Go<sup>v</sup>ino<sup>r</sup> & Company of the Massachusetts Bay, vpon issueing a quo-warranto  
 against the charter of that colony, and the saj<sup>d</sup> report and declaration being  
 read and considered at the boards, it was ordered, as it is hereby ordered, that  
 M<sup>r</sup> Edward Randolph be sent to New England with the notification of the  
 saj<sup>d</sup> quo waranto, which he is to deliuer to the saj<sup>d</sup> Gouerno<sup>r</sup> and Com-  
 pany of the Massachusetts Bay, and therevpon to returne to giue his maj<sup>ty</sup> an  
 account of his proceedings therein ; and one of his majestjes principall secre-  
 tarys of state is likewise to prepare the saj<sup>d</sup> declaration for his majesties sig-  
 nature ; and in order to be sent to New England and deliuered to the Go<sup>v</sup>ino<sup>r</sup>  
 and Company by the saj<sup>d</sup> Edward Randolph, two hundred copies of all the  
 proceedings at the council board concerning the charter of London, which

were printed by order of his maj<sup>ty</sup> at this board, to be dispersed by him in New England, as he shall thinke best for his majesties service.

1683.

PHIL: LLOYD.

7 November.

Charles R.

Charles the Second, by the grace of God King of England, Scotland, Fraunce, & Ireland, Defender of the Faith, &c, to all to whom these presents shall come or may in any wise concerne, greeting. Although wee haue thought fit to issue our writ of quo warranto against the charter and priuiledges claymed by the Goũno<sup>r</sup> and Company of the Massachusetts Bay in New England, by reason of some crjmes and misdemeano<sup>r</sup>s by them comitted, yet our will and pleasure is, and wee doe hereby declare, that the privat interests and proprietjes of all persons within that our colony shall be continued and preserued to them, so that no man shall receive any prejudice in his *ffree* \*ffreehold or estate; and that, in case the said corporation of the Massachusetts Bay shall, before further prosecution had vpon the sajd quo warranto, make a full submission and entire resignation to our pleasure, wee will then regulate their charter in such manner as shall be for our service and the good of that our colony, without any other alterations then such as wee shall find necessary for the better support of our gouernment there. And wee doe hereby further declare and direct, that all those persons who are questioned in or by the sajd quo warranto, and shall goe about to mainteyne the suite against us, shall make their defence at theire oune particcular charge, w<sup>th</sup>out any help by, or spending any part of, the publick stock of our sajd colony; and that as well those that are not freemen as such as are willing to submitt to our pleasure shallbe discharged from all rates, levjes, and contributions towards the expence of the sajd suite, both in their persons and estates. And our further pleasure is, that this our royall declaration be published within our sajd colony, that none may pretend ignorance hereof. Given vnder our signet and royall sign manuall, at our court at Whitehall, the 26<sup>th</sup> day of July, 1683, in the fve & thirtjeth yeare of our reigne.

His maj<sup>ty</sup> declaration or proclamation.

[\*418.]

W<sup>ch</sup> was don by being posted on y<sup>e</sup> Exchange.

By his majestjes comānd, &amp;c.

L. JENKINS.

London, &amp; was printed, &amp;c.

The Court satte dje in p diem on the consideration of the weighty matters y<sup>t</sup> were presented before them.

5 December.

[\*419.]

\*Know all men by these presents, that wee, the Gouerno<sup>r</sup> and Company of the Massachusetts Bay in New England, in America, haue constituted,

Courts letter of attorney to Robert Humfreys, Esq<sup>r</sup>.



1683.

5 December.



and in our place and stead put, and by these presents doe constitute, and in our place and stead put, our well beloved freind, Robert Humfreys, Esq̃, of the Inner Temple of London, to be our true and lawfull attorney for us, and in our names and stead to appeare, make answer, and defend for us, and in our names, to a certeine writt of venire facias, issued out of his majtjes Court of Kings Bench at Westminster, beareing teste the 27<sup>th</sup> of June last past, directed to the sherrife of London, and returnable tres Michis following, comāding the sajd Governo<sup>r</sup>, & Assistants, & seuerall of the ffreemen, by name, then to appeare before his majtje where euer he should be in England, to answer to his majty by what warrant they clajmed to haue, vse, and enioy diuers libertjes, priuiledges, and franchises within the citty of London and libertyes thereof, and in all places without the sajd citty, within his majtjes kingdome of England, as also in many partes beyond the sees, out of the kingdome of England, whereof they stand impeacht; and to doe, execute; performe, and finish for us, and in our names, all and singular thing & things which shall be expedient and necessary in, about, for, touching, or concerning the sajd writt, or any proceedings therevpon had or to be had, or any of them, as thoroughly and wholly as wee, the sajd Gou<sup>r</sup> & Company, might or could doe in or about the same, being personally present. And whatsoever our sajd attorney shall doe or cause to be don in, about, or concerning the premisses, wee, the sajd Governo<sup>r</sup> and Company, doe and shall rattify, confirme, and allow as fully and amply as if wee were present and did the same. In witness whereof, wee, the sajd Gouerno<sup>r</sup> & Company, haue herevnto affixt our comon seale, this fifth day of December, jn the thirty fifth yere of the reigne of our most gracious lord, King Charls the Second, annoq Domini one thousand sixe hundred and eighty three.

EDWARD RAWSON, Secre<sup>t</sup>.In the name & by order of y<sup>e</sup> Gou<sup>r</sup> & Comp<sup>y</sup> of y<sup>e</sup> Massachusetts.

[\*420.] \*Mr Humfreys: —

The assurance that our agents haue at all times given us of your ability & faithfullness hath made us to resolute to giue you the further trouble of an attorneyship in an vnhappy tryall of the quo warranto late issued out against us.

Wee take not this course in law of chojce, but of meere necessity, to saue a default & outlawry for the present. Vntill, if it be possible, wee can finde meanes, by an humble aplication, to sattisfy his majesty, be sure yow enter-tyne the best counsell possible, and gaine what time may be had, cunctando restituere rem, and that a better day may shine vpon us.

Assure yourself, s<sup>r</sup>, wee shallbe sensible of the vnacceptable service wee doe hereby impose vpon yow; therefore shall by no meanes be wanting to supply yow, being confident yow will not put us to greater expence then is absolutely necessary; and in advance towards your accompts, wee haue ordered M<sup>r</sup> John Iue to present w<sup>th</sup> fuetty pounds; & are

1683.

5 December.

S<sup>r</sup>, your friends & servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In the name & by order of the Gou<sup>r</sup>no<sup>r</sup> & Company of y<sup>e</sup> Massachusets in New England.

Boston, in New England, 5<sup>th</sup> Decem<sup>b</sup>, 1683.

S<sup>r</sup>: —

As an addition to the letter of advice, it is thought necessary that there be a plea made to the jurisdiction of the Court.

Whither a charter, & priuiledges granted thereby, being excercised in America, can be tryed in a Court in England; or by what authority the sheriffs of London serve a writt on persons who neuer were inhabitants there; and particcular persons are only mentioned in the writt, whereas wee are to sue and to be sued by the name of the Gouerno<sup>r</sup> & Company; also, the writt was not served on the persons concernd vntill the time of appearance was past, and not served on our agents in England, nor any copy left w<sup>th</sup> them by the secondary. Wee haue herewith sent the writt & notification from sajd secondary, which is all wee haue received, that yow may know if it be a legall sum<sup>o</sup>ns.

The coppys of his maj<sup>ty</sup>s declaration were not deliuered to vs by M<sup>r</sup> Edward Randolph till November twenty first, and \*so haue not had an oppertunity to publish them to the inhabitants; to all which may be added, that a representation be made how that his maj<sup>ty</sup>s subjects, our predecesso<sup>r</sup>s, transported themselues hither, settled and deffended themselues heere at their oune costs & charge, many of them leaving large accomodations in England, for an vncerteine settlement in this wilderness, confidently relying on the security given them by our charter for the enjoyment of the priuiledges therein conteyned.

[\*421.]

All which is, by like order, signed, as by letter of advice,

S<sup>r</sup>, by your freinds & servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In y<sup>e</sup> name & by order, &c.

Boston, in New England, 5<sup>th</sup> December, 1683.

& was directed, —

These for Robert Humpfreys, Esq<sup>r</sup>, at his chamber in y<sup>e</sup> Kings Bench Buildings, in y<sup>e</sup> Inner Temple, be dd in London.

1683.

5 December.  
Law as to  
building w<sup>th</sup>  
stone or brick  
on penalty of  
100<sup>l</sup>, &c.

This Court, being sensible of the great ruines in Boston by fire at sundry times, & hazards still of the same, by reason of the joyning & nearness of buildings, for the prevention of damage & losse thereby for the future, doe order & enact, that henceforth no dwelling house, warehouse, shop, barne, stable, or any other building, shallbe erected & set vp in Boston except of stone or bricke, and couered with slate or tyle, on penalty of forfeiting one hundred pounds in money to the vse of the sajd toune for euery house built otherwise, vnless by allowance & liberty obteyned from this Court, from time to time; and the constables and grand jurymen of the sajd toune are to take care for the execution of this order, and present the breach thereof to the County Court of Suffolke, that persons transgressing maybe proceeded with accordingly; and further, the selectmen of Boston are heereby impowred to heare and determine all controuersies relating to the boundarjes of the lands of such persons whose houses haue binn burnt doune in the late fiers, liberty of appeales to the County Court being allowed to any person agreeed; and the law, title New Buildings in Boston, made the 15<sup>th</sup> of October, 1679, is hereby repealed respecting buildings to be erected.

[\*422.]

Order for addi-  
tion of halfe a  
rate.

\*It is ordered, that for the payment of our just debts, there be halfe a single country rate in mony added to the former two rates passed in October last, and that the Tresurer issue out his warrants accordingly for the same forthwith.

Ans<sup>r</sup> to Rox-  
bury petition.

In answer to the petition of W<sup>m</sup> Parkes, John Bowles, Joseph Griggs, John Ruggles, & Edward Morris, selectmen of Roxbury, & in their behalfe, dated October y<sup>e</sup> 10<sup>th</sup> & 17<sup>th</sup>, 1683, for a tract of land for a village, to be lajd out about Quateseck, to the quantity of seven miles square, the Court grants theire request, provided that the grants to Major Thompson, Mr Stoughton, Mr Dudley, & Company, haue the first choyce, they making their choyce before the tenth of June next, and prouided that thirty familjes be settled on sajd plantation within three yeares of that time, and mainteyne amongst them an able, orthodox, godly minster.

50<sup>l</sup> gr<sup>ted</sup> to Mr  
John Richards.

Ans<sup>r</sup> to Mr  
Whartons pe-  
tition, comitted  
appointed to  
lay out his 1000  
acr<sup>s</sup>.

Mr Sam. Sea-  
wall cap<sup>t</sup> of y<sup>e</sup>  
late Cap<sup>t</sup> Hulls  
compa., The-  
ophi. Frary  
leift<sup>nt</sup>, Asaph  
Ellyot ensigne.

It is ordered by this Court, that the Treasurer of the country pay vnto Mr John Richards, on accompt of his service for the country in England, fiuety pounds in money out of the last rates.

In answer to the petition of Mr Richard Wharton, to the end the petitioners former grant of one thousand acres of land granted to him maybe made effectuell, this Court doth order, that Cap<sup>t</sup> Edward Tyng, Mr James Andrews, Mr George Peirson, Cap<sup>t</sup> Bracket, & Mr Silvanus Dauis, or any three of them, lay out sajd land and make returne.

Vpon complaint of Leiftenūt Frary, that their company is vnder much

discouragement, by reason of the remooving of M<sup>r</sup> Sewall from them to 1683.  
comānd another company, & other inconveniencies arising thereby, this Court  
judgeth it meete to recall that former order, & doe appoint M<sup>r</sup> Samuel Seawall  
captaine of that company belonging to Cap<sup>t</sup> John Hull, and M<sup>r</sup> Frary to  
remajne leiftenānt of that company as formerly. M<sup>r</sup> Asaph Elljot is appointed  
by this Court to be ensigne of the south company in Boston.

5 December.

In answ<sup>r</sup> to the petition of M<sup>r</sup> John Gifford, the Court judge it meet to  
grant the peti<sup>c</sup>ōner a hearing of his case mentioned therein at the next Court  
to be held in the county of Essex, by way of releife, & to haue liberty to try  
the action in forma pauperis.

Courts ans<sup>r</sup> to  
M<sup>r</sup> John Gif-  
fords peti.

\*2. In answer to the petition of M<sup>rs</sup> Judith Hull, & M<sup>r</sup> Samuel Seawall, [\*423.]  
administratrix & administrator to the estate of the late John Hull, Esq<sup>r</sup>, some  
times Tresurer, deceased, his estate crauing this Courts favour to order a  
com<sup>m</sup>ittee to perfect what is wanting as to the accounts betweene him & the  
country, it is ordered, that W<sup>m</sup> Stoughton, Esq<sup>r</sup>, & Joseph Dudley, Esq<sup>r</sup>, w<sup>th</sup>  
Cap<sup>t</sup> Elisha Hutchinson, Cap<sup>t</sup> Richard Spague, & Leftenānt W<sup>m</sup> Johnson be a  
com<sup>m</sup>ittee to put an issue thereto, & present the same to the next Court of  
Election for confirmation, or sooner, if it may be.

Co<sup>m</sup>ittee on  
M<sup>rs</sup> Hulls & M<sup>r</sup>  
Sewalls peti-  
cōn.

The petition was, & should haue binn first entred.

1. To the honored Generall Court, sitting in Boston, 7<sup>th</sup> November, 1683, M<sup>rs</sup> Judith  
the petition of Judith Hull, & Samuel Seawall, administrato<sup>r</sup>s of the  
estate of the late John Hull, Esq<sup>r</sup>, sometime Treasurer, deceased, — Sam. Sewalls  
peti<sup>c</sup>ōn.

Humbly sheweth, —

That whilst the sajd M<sup>r</sup> Hull served the country in that office or employ-  
ment as Treasurer for the warr, and Treasurer of the country, he did in the  
respective yeares from Septemb<sup>r</sup>, 1678, to October, 1680, draw vp seuerall  
accompts of ballance, in order to the passing his accompts, but by reason of  
the other weighty affaires of y<sup>e</sup> country was deferred from Court to Court  
vntill the sajd accompt hath amounted to a very great sume, of w<sup>ch</sup> he could  
not obteyne a setlement in his lifetime. How faithfully he approoved himself,  
& ready to serve the country, both with his estate and in person, is well  
knoune to many, & laboured vnder the weight of this accompt w<sup>th</sup> his oune  
hand vntill weakness of body & y<sup>e</sup> bulke thereof neçessitated him to take in  
Cap<sup>tn</sup> Daniel Henchman to his assistance, the accompt being of such a nature,  
& so vast, as could not be carried on but by keeping accompt of specjes, (there  
being about twelue thousand debenters, orders, & other accounts and papers  
filed,) and besides his oune pajnes, one of his relations and two of his appren-  
tices did labour much in this service, for all which he hath not charged one



1683.

5 December.

[\*424.]

penny; that he was all along many hundred pounds out of his oune estate for the supply of the country, in their streights by danger at home, & occasions of agency in England, and did preserve their credit by his taking vp and engaging for considerable sumes on their behalfe, besides his oune disbursments, to the lessning of his trade, as is apparent. \*He hath given the country credit for all their rates, though much standing out to this day, and no effectuall way for the gathering them in without trouble & charge. By his last accompt he had aboue seventeene hundred pounds due to him from the country, and charged but fower hundred twenty five pounds fueteen shillings & fower pence interest for his oune disbursts and long forbearance, w<sup>ch</sup>, if it had binn many hundreds more, would not haue compensated his damage. What he hath recejved of M<sup>r</sup> Russell, w<sup>ch</sup> went to pay debts, there being great sumes owing by the country, is in an accompt supplementall to the last herewith presented, and therein incerted what erro's haue binn found by those gentlemen appointed to examine the same, as also by Cap<sup>t</sup> Henchman, there being as well vnder as ouercharged, some acco's misplaced, & some debts to persons, w<sup>ch</sup> are found not payable by the country but the county of York. There is also an additionall accompt drawing vp of what receipts and payments haue been since the accompt given in, which will shortly be made vp. The premisses considered, your petitioners humbly pray that this honno'd Court would please to order the passing the sajd accompts, that a transaction of so great a sume as fuetty two thousand five hundred pounds may not be vnsetled, & to take effectuall care for payment of the ballance. And, as in duty bound, shall pray, &c,

SAMUEL SEAWALL.

Comittees returne.

3. The petition of Judith Hull & Samuel Seawall, administrato's of y<sup>e</sup> estate of y<sup>e</sup> late Jn<sup>e</sup> Hull, Esq<sup>r</sup>, w<sup>th</sup> y<sup>e</sup> accounts annexed, (w<sup>ch</sup> are on file,) were deliuered to the comittee, who, after their perysall, made their returne on the ffoot of sajd accompts, & were by them signed, & deliuered into y<sup>e</sup> Court, & was, —

[\*425.]

Wee, vnder written, a comittee of the Generall Court for the inspection and issue of the late Capt<sup>n</sup> Hulls accompts, doe finde by the ballance aboue that there is five hundred forty five pounds three shillings ten pence halfe penny due from the country to the said Capt<sup>n</sup> Hull, whereof fower hundred was taken vp of Capt<sup>n</sup> John Phillips, of Charls Toune, at interest, and is still due \*vnto him. For a finall issue of sajd account, w<sup>th</sup> the consent of the administrato's of the sajd Capt<sup>n</sup> Hull, wee doe propound that the Court forthuith

order the payment of sajd fower hundred pounds to Capt<sup>n</sup> Phillips, with the interest, & pay to the sajd administrato<sup>r</sup>s fifty pounds money in full, and that the administrato<sup>r</sup>s be finally hereby discharged from the sajd accounts.

1683.

5 December.

November 27, 1683.

Signed,

WILLJAM STOUGHTON,  
JOSEPH DUDLEY,  
RICHARD SPRAGUE,  
ELISHA HUTCHINSON,  
WILLJAM JOHNSON.

The Court approoves of this returne of y<sup>e</sup> co<sup>m</sup>ittee.Courts appro-  
bation.

As attests

EDWARD RAWSON, Secr<sup>t</sup>.

\*Warrants issued out by order of y<sup>e</sup> Court to su<sup>m</sup>on & giue notice to M<sup>r</sup> Zerubbabel Endicot of the Gennerall Courts appointment for the hearing of the case lately tryed at Salem Court & Court of Assistants, betweene him & Francis Nurse, w<sup>ch</sup> the Court in October last ordered it to be heard at y<sup>e</sup> Court, in ans<sup>r</sup> to his & M<sup>r</sup> Allens peti<sup>c</sup>on, & y<sup>t</sup> he appeares and attend his concernes at the time accordingly. Y<sup>e</sup> su<sup>m</sup>ons was served, & returne made y<sup>e</sup> same day, that M<sup>r</sup> Endicot was sick in bed, & y<sup>t</sup> on oath; Francis Nurse tendered his oath, y<sup>t</sup> M<sup>r</sup> Endecot affirmed, that were he well & his attorney at home, he would not haue appeared. On the Courts hearing of w<sup>t</sup> was returnd & sajd, the case proceeded, and after the whole case & all the evidences were heard & considered of, did judge that the ljnes runne and returned by the last co<sup>m</sup>ittee of this Court, vnder their hands, dated November the 18<sup>th</sup>, 1681, to be the bounds of M<sup>r</sup> Allens farme in controuersy, according to the former judgment of this Court.

Courts judg-  
ment in Fran-  
cis Nurse, M<sup>r</sup>  
Allen, & M<sup>r</sup>  
Endecotts  
case, 24 No-  
vember, 1683.

28 November,  
1683.

\*This Court, hauing appointed a hearing of the case betweene M<sup>r</sup> Zerubbabell Endecot & M<sup>r</sup> James Allen, w<sup>ch</sup> the more publicke & momentous occasions haue obstructed, doe appoint Wednesday the 28<sup>th</sup> of this moneth, at one of the clocke, for hearing & finall determination of the same, and the partjes concerned are ordered to haue notice, & appeare accordingly, & execution of former judgment in the meane time is hereby respitted.

This should  
have bin first  
entred.

In answer to the peti<sup>c</sup>on of James Russell, Esq<sup>r</sup>, Tresurer, humbly desiring that as he hath given into this Court formerly his late honnored ffathers acco<sup>ts</sup>, y<sup>e</sup> late Richard Russell, Esq<sup>r</sup>, his acco<sup>ts</sup> to value of eighteen thousand pounds at least, & hauing served the country in that office since, & given in his accounts to the honnored co<sup>m</sup>ittee of this Court, to value of aboue fueteene thousand pounds, that he hath payd and received for this countrey,

Ans<sup>r</sup> to James  
Russel, Esq<sup>r</sup>,  
Tre<sup>r</sup>, his mo-  
tion, &c.

1683.

5 December.

[\*426.]

considering the many changes that haue hapned, &c, his humble \*request to this Court is, that the cõmittee that perused his accompts may be impowred to giue him a dischardge in the behalfe of his honnoured father & himself, till the ffoote of his last accompt, the Court judgeth it meet to grant his request, & orders that the seale of the country be affixed to the discharge in this case, as also to that of M<sup>rs</sup> Judith Hull & M<sup>r</sup> Samuel Seawalls case.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Jonathan Tyng, the Court judgeth it to grant the island in Merrimacke Riuer called Weikeset to him, the petiōner, in full of all accounts, provided the sajd island belong to no other person, English or Indean, by any former title.

1683-4.

13 February.

[\*427.]

*\*Att a Gennerall Court, held at Boston, on adjournment, 13<sup>th</sup>  
February, 1683.*

PRESENT, Symon Bradstreet, Esq̃, Goũ,

Thomas Danforth, Esq̃, Dep<sup>t</sup> Gō,

Daniel Gookin,

W<sup>m</sup> Stoughton, 16,

Joseph Dudley, 16,

Peter Bulkley,

Humphry Davy,

Jn<sup>o</sup> Richards,

James Russell,

Sa<sup>m</sup> Nowell,

Barthō Gedney,

Samuel Apleton,

Robert Pyke,

} Esq̃s.

Courts letter to  
M<sup>r</sup> Rob<sup>t</sup> Hum-  
freys.

SR:—

By M<sup>r</sup> Boylston, who sajd henc in Décembre last, wee wrote to yow, & sent to yow a letter of attorney, impowring you to appeare for vs in Westminster Hall, & to answer what shall be lajd to our charge in the prosecution had vpon the quo warranto issued against vs. Duplicates wee herewith transmitt vnto yow, least any miscarriage should happen. Your long acquaintance with the affajres of this colony, by the papers in your hands, & otherwayes, did then, and still doth excuse vs from giving yow the trouble of long informations & instructions in this matter; & the encouragement wee had vpon the

experience of your prudence & diligence to expose such a trust in yow does giue us assurance that yow will leaue no stone vnturn'd that may be for the service, either in the case itselfe or the spining out the time as much as possibly may be. Wee haue no new thing to acquaint yow with, hauing come to no other resolues amongst ourselues then before. Wee shall not faile to lett yow heare from us by euery oppertunity, and desire that you will omit none in giving us advice how our case stands. Wee haue only to add, that wee hauing taken further order for your supply w<sup>th</sup> M<sup>r</sup> Jn<sup>o</sup> Iues, merchant, in London, not doubting but yow will obser~~ue~~<sup>se</sup> our direction in that point, to make the suite as litle chargeable to us as maybe. Co<sup>m</sup>itting yow & our concernes w<sup>th</sup> yow in the mannagement & issue thereof to the soueraign Disposer of all humajne affajres, wee remajne, s<sup>r</sup>,

Your freinds & servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In the name & by order of the Go<sup>u</sup>no<sup>r</sup> & Com<sup>p</sup> of the Massachussets in New England.

\*In answer to the petition of John Vyall, humbly desiring this Courts [428.] favour to grant him liberty to build his brew house w<sup>th</sup> timber vpon his wharfe next the sea, for the grounds & reasons mentioned in his peti<sup>ti</sup>on, the Court grants his request, provided it be couered w<sup>th</sup> slate or tyle.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Vyalls peti-  
tion.

It is ordered, that Major Saltonstall, w<sup>th</sup> the deputy of Newbery, take care forthwith to make diuission of the souldjers of Newbery into two companys, in as æquall a manner as they can, and that Cap<sup>t</sup> Peirce & his co<sup>m</sup>ission officers shall haue the first choyce.

Newbery com-  
panys to be di-  
uided.

In ans<sup>r</sup> to the petition of Jarvis Ballard, humbly desiring the favo<sup>r</sup> of this Court to grant him liberty to erect his addition to his house of tymber, for y<sup>e</sup> reasons therein rendered, the Court grants his request, provided it be couered w<sup>th</sup> tyle or slate.

Ans<sup>r</sup> to Jervis  
Ballard peti-  
tion.

In ans<sup>r</sup> to the petition of Martha Dady, excecatrix to the last will of hir late husband, the Court judges it meet to referr the consideration & determination of what is necessary to be donne therein to the County Court in Midlesex.

Ans<sup>r</sup> to Martha  
Dady peti<sup>ti</sup>on.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of John White, humbly desiring the favour of this Court to grant him liberty to erect his frame ouer his sellar at y<sup>e</sup> north end of Boston, being agreed for long before y<sup>e</sup> late law, the Court grants his request, provided it be couered w<sup>th</sup> tyle or slate.

Ans<sup>r</sup> to Jn<sup>o</sup>  
Whites peti-  
ti<sup>o</sup>n.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Sampson Sheafe, humbly desiring the favour of this Court to grant him the liberty to erect a tjmber building ouer a cellar

Ans<sup>r</sup> to M<sup>r</sup>  
Sheafs peti-  
tion.



1683-4. of his, long since fitt for such an end, at the south end of the Co<sup>m</sup>on, relating  
 13 February. to a sugar worke intended for refining of sugar, &c, the Court grants his request.

Officers to  
Newby & Row-  
ley troope.

The Court, considering that the troope belonging to Newbery & Rowley is not yet compleated with co<sup>m</sup>ission officers, doe therefore appoint M<sup>r</sup> Richard Dumer capitaine, Thomas Lambert left, & Henry Short cornet of sd troope.

James Hill  
cap<sup>t</sup>, Jn<sup>th</sup>.  
Bridg<sup>m</sup> left, Jo-  
seph Bridg<sup>m</sup>  
ens.

This Court haue chosen & doe appoint James Hill capitaine, Jonathan Bridgham leften<sup>nt</sup>, & Joseph Bridgam ensigne of the ffoote company late vnder the co<sup>m</sup>and of Cap<sup>t</sup> John Walley.

[\*429.]

100<sup>li</sup> to be  
p<sup>ro</sup>cured & sent  
to M<sup>r</sup> Jn<sup>o</sup> Ives  
for y<sup>e</sup> countrys  
service.

\*It is ordered, that the country Treasurer, by the next ship, procure one hundred pounds sterling, which shall be put into M<sup>r</sup> John Ives his hands, in London, for the service of this colony.

Ans<sup>r</sup> to Wren-  
thams peti<sup>ti</sup>on,  
Left Thirston  
added to y<sup>e</sup>  
co<sup>m</sup>ittec.

In answer to the petition of the inhabitants of W<sup>en</sup>thams, the Court judgeth it meet to grant this petition, i. e., that Leften<sup>nt</sup> Thomas Thirston be added to the co<sup>m</sup>ittee in the roome of y<sup>e</sup> late Cap<sup>t</sup> Fisher.

Addition to y<sup>e</sup>  
law as to brick  
building in  
Boston.

That, for incouragement to build in Boston w<sup>th</sup> bricke & stone, according to a law made the last session, as an addition to the sajd law, it is ordered & enacted, that whosoever shall so build shall haue liberty to sett halfe his partition wall in his neyghbours ground, leaving jages in the corners of such walls for the neyghbours to adjoyne their building to ; and that, when the same shall be built vnto, the neyghbours adjoyning shall pay halfe the wall so farr as he shall adjoyne ; and in case of difference, that the selectmen haue power to appoint persons to make vallation, or lay out the l<sup>i</sup>nes between such neyghbours.

Ans<sup>r</sup> to W<sup>m</sup> &  
Hanna Haw-  
kins.

In answer to the petition of Willjam Hawkins & Hannah, his wife, the Court doe appoint the 14<sup>th</sup> of May next, at nine of the clocke in the morning, for a hearing of the case betwene them & Robert Burnap & his son Thomas, of Redding, & that the secretary give timely notice to all persons concerned then to appeare to attend the issue.

Ans<sup>r</sup> to M<sup>r</sup>  
Wharton & M<sup>r</sup>  
Whitecombs  
pet. relating to  
Smiths estate.

In ans<sup>r</sup> to the peti<sup>ti</sup>on of M<sup>r</sup> James Whetcombe & M<sup>r</sup> Richard Wharton, the Court judgeth it meet to referr the consideration of the matter conteyned in their peti<sup>ti</sup>on to the County Court in Boston, who are hereby impowred to send for Michaell Smith, admi<sup>n</sup>strato<sup>r</sup> to y<sup>e</sup> estate of the late Jn<sup>o</sup> Smith & Sarah, ^ wife, & the peti<sup>ti</sup>oners, and on hearing of them, to determine what they judge just & necessary, either to order the sajd Michaell Smith to giue in sufficient security for the payment of the sajd ffty pounds to the child of the sajd John Wilmot, or \*otherwise sequester so much of the estate of the late

[\*430.]

John & Sarah Smith, in his the sajd Michaell Smith, administrato<sup>r</sup>s, hands, 1683-4.  
for that end, or otherwise, as they shall see fitt.

In ans<sup>r</sup> to the petiçon of M<sup>r</sup> John Joyliffe, in the name of the selectmen of Boston, it is ordered, that the selectmen shall haue power to abate the rates of such persons that haue lately suffered by fyer, & disabled to pay their rate, not exceeding twenty fve pounds.

13 February.  
Ans<sup>r</sup> to Boston  
selectmens pe-  
tiçon, 20<sup>th</sup>.

In ans<sup>r</sup> to the petition of M<sup>r</sup> John Gifford, the keeper of the prison is permitted to let the prisoner to goe to psecute his action, he giving him sufficient securitje to returne to him & submitt himself a prisoner at the end of the next County Court to be held in Essex, or to sattisfy the execution & charges arising thereon, or abide a prisoner at Essex prison, to w<sup>ch</sup> he was first comitted on the execution by w<sup>ch</sup> he is a prisoner.

Ans<sup>r</sup> to M<sup>r</sup>  
John Giffords  
petiçon.

\*By the Go<sup>vrn</sup><sup>r</sup> & Company of the Massachusetts Bay in New England.

[\*431.]

To all to whom these presents shall come and may concerne,  
greeting :

16 March.



The Seale.

SYMON BRADSTREET, Gou.

Know yee, that whereas, in answer to the petiçon of M<sup>rs</sup> Judith Hull, and M<sup>r</sup> Samu<sup>el</sup> Seawall, & Hannah his wife, admiñstrato<sup>r</sup>s of the estate of John Hull, Esq<sup>r</sup>, late of Boston, deceased, sometime Treasurer for the Indean warr, and also

Courts dis-  
chardge to M<sup>r</sup>  
Hull, M<sup>r</sup> Sew  
all & his wife,  
as to Jn<sup>o</sup> Hull,  
Esq<sup>r</sup>, late  
Treasurer, his  
transactions,  
&c.

Treasurer for this colony, exhibbited vnto the Generall Court sitting at Boston the seventh of November, ul<sup>to</sup>, praying that the accompts of the sajd John Hull, Esq<sup>r</sup>, relating to his transactions in the execution of those offices and trusts might be passed and settled, the sajd Court was pleased to nominate and appoint the wo<sup>r</sup>p<sup>th</sup> W<sup>m</sup> Stoughton, and Joseph Dudley, Esq<sup>r</sup>s, Cap<sup>t</sup> Richard Sprague, Cap<sup>t</sup> Elisha Hutchinson, and Leift<sup>nt</sup> Willjam Johnson a committee to inspect and issue the sajd accompts, & report the same vnto the Court, which sajd gentlemen, in pursuance of the sajd order, vpon perusall of the accompts, returned, they found the ballance due from the country to šd M<sup>r</sup> Hull to be fve hundred forty fve pounds three shilling ten pence halfe penny, whereof fower hundred pounds was taken vp of Captaine John Phillips, of Charls Toune, at interest, and is still due to him ; and for a fynall issue of šd accompts, (w<sup>th</sup> y<sup>e</sup> consent of the above named admiñstrato<sup>r</sup>s,) did propound that the Court forthw<sup>th</sup> order the payment of šd fower hundred pounds to Cap<sup>t</sup> Phillips, with the interest, and to pay to sajd admiñstrato<sup>r</sup>s fuety pounds money, in ffull, and that the admiñstrato<sup>r</sup>s be finally dischardged from šd accompts. The Court, hauing approoved of the returne of šd

1683-4. committee, and the payment of sd money being ordered, now, for the full  
 16 March. compleating and perfecting of what remayneth farther to be donn, according  
 [\*432.] to the committees returne, the sajd Gouverno<sup>r</sup> & Company doe, by these pres-  
 ents, fully and absolutely remise, release, discharge, and for euer quitt clajme  
 vnto the sd Judith Hull, Samuel Sewall, \*and Hannah his wife, admin<sup>istrato</sup>'s  
 of the estate of the aboue named John Hull, Esq<sup>r</sup>, sometime Treasurer for  
 the warr, and also Treasurer for this colony, them, and each of them, theire &  
 euery of theire heires, execcuto<sup>r</sup>'s, and admin<sup>istrato</sup>'s, of and from all debts,  
 sume and sumes of money, reckonings, accompts, receipts, payments, and dis-  
 bursements had, made, owing, kept, receiued, paid, lajd out, expended, or in  
 any kinde transacted by the sajd Hull, any wajes relating vnto the execution  
 of his sd treasure shippe, so farr as concerne the sajd Gouverno<sup>r</sup> & Company,  
 and of and from all actions, suits, judgments, executions, clajmes, & demands  
 whatsoever, to be had, com<sup>enced</sup>, presented, obteyned, or recovered from or  
 against the estate left by sajd Hull, or the admin<sup>istrato</sup>'s thereof aboue named,  
 by the sd Gouverno<sup>r</sup> & Company, for or by reason of any matter, cause, or  
 thing whatsoever, from the begining of the world to the day of the date here-  
 of, touching or concerning the same. In testimony whereof, wee haue caused  
 our publicke seale to be herevnto affixed. Dated in Boston, this tenth day of  
 March, 1683. Anoq regni Regis Carolj Secundj, tricesimo sexto, xxxvj<sup>o</sup>.

By the Court.

EDWARD RAWSON, Secre<sup>t</sup>.

This acquittanc & discharge of the Gouverno<sup>r</sup> & Company of the Massa-  
 chusetts Bay in New England to M<sup>rs</sup> Judith Hull, & Samuel Sewall, & Han-  
 nah his wife, their heires, execcuto<sup>r</sup>'s, & admin<sup>istrato</sup>'s, &c, stands here thus  
 entred & recorded in the Generall Courts booke of records, from the sixteenth  
 day of March aboue sajd, 1683, at their requests.

As attests.

EDWARD RAWSON, Secre<sup>t</sup>.

1684.

29 April.

[\*433.]

\*By the Govern<sup>r</sup> & Company of the Massachusetts in New England.

To all to whom these presents shall come and may concerne,  
 greeting :



SYMON BRADSTREET, Gofinor.

Know y<sup>e</sup>, that, whereas, in answer to the peti-  
 tion of James Russell, present Treasurer for the  
 aboue named colony, and execcutor to his honored  
 ffather, Richard Russell, Esq<sup>r</sup>, formerly Treasurer,  
 exhibbited vnto the Generall Court, sitting in Boston  
 the seventh of November last, praying that Major  
 John Richards & Samuel Nowell, Esq<sup>r</sup>, with M<sup>r</sup> Elisha Cooke, Left<sup>n</sup> W<sup>m</sup>

1684.

29 April.

Johnson, Capt<sup>n</sup> Elisha Hutchinson, and Capt<sup>r</sup> Richard Sprague, who were appointed by the aforesajd Generall Court, sitting at Boston in October last, to examine the saj<sup>d</sup> Treasur<sup>s</sup> accompts, and make returne thereof to the next sessions of the saj<sup>d</sup> Court, (which was accordingly effected by them,) might be impowred and authorised to give him a ffull dischardge in the behalfe of his foresajd father, who was formerly Treasurer for many yeares, whose accompts depending betwixt him and this colony haue binn settled by his execcuto<sup>r</sup>s, with a comitte<sup>e</sup> appointed by the Generall Court for that affayre, long since; also, for the saj<sup>d</sup> James Russells oune transactions as Treasurer, till the ffoote of his last accompt, dated the 23<sup>th</sup> of November last, then examined and settled with the abouesajd comitte<sup>e</sup>, which requests, as abouesajd, were accordingly granted by the honno<sup>d</sup> Generall Court, that the afor<sup>s</sup>d parties should give him a discharge as aforesajd, and that the seale of this colony should be affixed to the same; in compliance wherewith, we, the abouesajd comitte<sup>e</sup>, by virtue of the power derived to us from the Generall Court, as by their order of seventh of November last, finding the saj<sup>d</sup> James Russells accompts adjusted and ballanced till the time abouesajd, \*wee doe, by these presents, fully and absolutely remise, release, and foreuer acquitt and discharge the aforesajd Richard Russell, formerly Treasurer of this colony, his heires, execcuto<sup>r</sup>s, & administrato<sup>r</sup>s, from all rates, fines, debts, reckonings, accompts, receipts, and other transactions referring to this colony; and the aforesajd Richard Russell, as Treasurer thereof, and also his son, James Russell, the present Treasurer, who was chosen in the yeare sixteene hundred and eighty, and has since served in that place or trust, whose accompts for three yeares past haue binn examined and adjusted with ourselues and others appointed by the aforesajd Court for that seruice, wee doe, therefore, likewise, by virtue of the aforesajd power derived to vs in the behalfe of the Gouverno<sup>r</sup> & Company of this colony, release, acquitt, and discharge the saj<sup>d</sup> James Russell, the present Treasurer, his heires, execcuto<sup>r</sup>s, and administrato<sup>r</sup>s, of and from all rates, fines, imposts, receipts, debts, reconings, and accompts whatsoever transacted by the saj<sup>d</sup> Russell for this colony since he was Treasurer for the same, till the ffoot of his last accompt, dated as aforesajd, and now reuised by vs, the subscribers heereof, as also from all other transactions relating to the saj<sup>d</sup> office, and from all actions, suites, judgments, executions, clajmes, & demands whatsoever, to be had, com<sup>e</sup>nced, prosecuted, obteyned, or recouered from or against him or his aforenamed ffather by the saj<sup>d</sup> Gouverno<sup>r</sup> and Company, for or by reason of any cause, matter, or thing whatsoever, from the beginning of the world to the day of the date hereof, touching or concerning the same. In testimony whereof, wee, the aboue named persons, appointed as a comitte<sup>e</sup> for this

[\*434.]



1684. buisnes, haue herevnto sett our hands. Dated in Charls Toune, the twenty fifth day of Aprill, 1684.

29 April.

[\*435.]

\*Annoq regni Regis Carrolj Secundj xxxvi.

Signed by

JOHN RICHARDS,  
SAMUEL NOWELL,  
ELISHA COOKE,  
WILLJAM JOHNSON,  
ELISHA HUTCHINSON,  
RICHARD SPRAGUE.

This acquittance and dischargd of the Gofino<sup>r</sup> and Company of the Massachusetts Bay in New England to James Russell, Esq<sup>r</sup>, Tresurer, in behalf of his father, the late Richard Russell, Esq<sup>r</sup>, & himself, & theire heirs, &c, stands thus entred & recorded in the Generall Courts booke of records, at request of the said James Russell, from the 29<sup>th</sup> of Aprill, 1684.

As attests

EDWARD RAWSON, Secre<sup>t</sup>.

[\*436.]

7 May.

*\*At a Generall Court for Elections, held at Boston, the 7<sup>th</sup> of May, 1684.*

SYMON BRADSTREET, Esq<sup>r</sup>, was chosen Gofino<sup>r</sup> for y<sup>e</sup> yeare ensuing, & tooke his oath.

Thomas Danforth, Esq<sup>r</sup>, was chosen Dep<sup>t</sup> Go<sup>v</sup>n<sup>r</sup>, and tooke his oath.

Daniel Gookin, Esq<sup>r</sup>, was chosen an Assistant for y<sup>e</sup> yeare ensuing, & took his oath, & Major Genn<sup>l</sup>.

John Pynchon, Esq<sup>r</sup>, was chosen an Assistant also, & tooke his oath.

Willjam Stoughton, Esq<sup>r</sup>, was chosen an Assistant & 2<sup>d</sup> Co<sup>m</sup>mission<sup>r</sup>.

Peter Bulkley, Esq<sup>r</sup>, was chosen an Assistant & 1<sup>st</sup> Co<sup>m</sup>mission<sup>r</sup> <sup>^</sup> reserv.

Nathaniel Saltonstall, Esq<sup>r</sup>, was chosen an Assistant, & tooke his oath;

Joseph Dudley, Esq<sup>r</sup>, 2 Co<sup>m</sup>miss<sup>r</sup> in res<sup>e</sup>.

Humphry Davy, Esq<sup>r</sup>, was chosen an Assistant, & tooke his oath.

John Richards, Esq<sup>r</sup>, was chosen an Assistant, & tooke his oath.

Samuell Nowel, Esq<sup>r</sup>, was chosen an Assistant, & tooke his oath, & 1<sup>st</sup> Co<sup>m</sup>mission<sup>r</sup>.

James Russell, Esq<sup>r</sup>, was chosen an Assistant, & tooke his oath, & Tresurer, & tooke y<sup>t</sup> oath.

1684.

7 May.

Peter Tilton, Esq̃, was chosen an Assistant, & tooke his oath.  
 Samuel Apleton, Esq̃, was chosen an Assistant, & tooke his oath.  
 Robert Pyke, Esq̃, was chosen an Assistant, & tooke his oath.  
 John Woodbridge, Esq̃, was chosen an Assistant, & tooke his oath.  
 Elisha Cooke, Esq̃, was chosen an Assistant, & tooke his oath.  
 W<sup>m</sup> Johnson, Esq̃, was chosen an Assistant, & tooke his oath.  
 John Hawthorn, Esq̃, was chosen an Assistant, & tooke his oath.  
 Elisha Hutchinson, Esq̃, was chosen an Assistant, & tooke his oath.  
 Samuel Sewall, Esq̃, was chosen an Assistant, & tooke his oath.  
 Edward Rawson was chosen Secretary, & tooke his oath.

The names of the deputjes for y<sup>e</sup> seuerall townes returnd to serve, &c,  
 were, —

Salem : M<sup>r</sup> Henry Bartholmew, 1 š.  
 Charls Tō : M<sup>r</sup> John Phillips.  
 Dorch : M<sup>r</sup> W<sup>m</sup> Sumner.  
 Boston : M<sup>r</sup> Anthō Stoddard, M<sup>r</sup> John Fairweather, M<sup>r</sup> John Saffyn.  
 Roxbury : M<sup>r</sup> Edward Morrice.  
 Water T. : M<sup>r</sup> Symon Stone.  
 Camḃ : M<sup>r</sup> Edw<sup>d</sup> Winship, 1 š.  
 Lyn : M<sup>r</sup> Olliuer Purchase.  
 Ips : Cap<sup>t</sup> Daniel Epps, Leiut Thō Burnam.  
 Newḃ : M<sup>r</sup> Rich<sup>d</sup> Bartlet.  
 Weym : M<sup>r</sup> Jacob Nash, 1 š.  
 Hingh : Cap<sup>t</sup> Jn<sup>o</sup> Smith.  
 Concord : M<sup>r</sup> Edw<sup>d</sup> Oakes.  
 Dedhā : Lef<sup>t</sup> Nath Sternes.  
 M<sup>r</sup> John Haynes, Sudbury, 1 š.  
 Hauerill : M<sup>r</sup> Rob<sup>t</sup> Swann.  
 Glocester : M<sup>r</sup> James Steevens.  
 Braintry : M<sup>r</sup> Samuel Thompson, 1 š.  
 Wooborne : M<sup>r</sup> James Convers.  
 Maulden : Cap<sup>t</sup> John Wayte.  
 Topsfeild : M<sup>r</sup> Thomas Baker.  
 Beverly : M<sup>r</sup> Excercise Conant.  
 Northampton : M<sup>r</sup> Medad Pomery.  
 Hadley : Lef<sup>t</sup> Phillip Smith, 1 š.  
 Springfield : M<sup>r</sup> Samuel Marshfeild, 1 š.  
 Redding : M<sup>r</sup> Hannaniah Parker.

1684.

Cap<sup>t</sup> John Wayt was chosen Speaker.Cap<sup>t</sup> W<sup>m</sup> Torrey was chosen Clerk.

7 May.

[\*437.]

Imposts & im-  
posts on wine  
& strong li-  
quors in force.

\*It is ordered by this Court & the authority thereof, that the lawes, title Imposts, & Impost on Wine & Strong Licquors, with the explanations and additions made also therevnto, shall be and remajne in full force from the tenth of June next ensuing, vntill the tenth day of June which will be in the yeare 1685.

Fylth in streets  
to be removed  
on penalty.

There being complaint made of great inconvenience by reason of filth and dirt cast into the streets of Boston & other townes, and of the neglect of butchers to cleanse their slaughter houses and yards of blood and other filth, altho such houses and yards are scittuate neare streets and lanes much frequented, this Court doth order & enact, that all persons so offending shall forfeite twenty shillings to the vse of the toune, except such annoyance be removed within twelue howers after complaint.

Notarys seale.

Whither it be not expedient for the Generall Court to appoint a seale for the public notary of this colony, that so writtings signed and past by him may finde the more credit in foreigne parts.

In answer to this quærie, the Court thinks it fitt to appoint, that a buck, with this circumscription on, Sigil: Notar: Pub: Massachusets, be the seale for the office of the notary publicke, and doe accordingly order the engraving the same in siluer at the country<sup>s</sup> charge.

Courts resolve  
as to exec. on  
goods & for w<sup>t</sup>  
person affirma-  
tive.

Whither executions vpon judgments ought not to be issued forth according to the forme of process vpon which sajd judgments are founded, viz., against the goods, & for want thereof, the person, &c. The Court resolves this question in the affirmative as to personall debts.

Norfolke  
troope.

In answer to the petition of Major Robert Pyke, it is ordered by this Court, that Major Pike is allowed to lyst so many men for troopers out of the three ffoote companjes of Hauerhill, Salisbury, & Amesbury, in proportion to the number of the sajd companye, so as to make his troope forty eigh men, besides officers, provided this troope be vnder the comand of Major Robert Pyke for their captaine; and Major Pike is ordered to present to the next session of this Court the names of the other comission officers \*to compleat the sajd troope; and inlysting the sajd addition out of the ffoote companjes, this Court doth dispence with quallifications of the persons in pointe of state paying to the country rate, provided they be otherwise qualified w<sup>th</sup> ability of body, and sufficient horse & armes.

[\*438.]

Benja. Gerrish  
collector of the  
powdr mony,  
&c

It is ordered, that Benjamin Gerrish be the officer for Salem and the ports annexed, in stead of the late Mr Hilljard Veren, to demand and receive the

powder mony of all masters of shippes and other vessells, according to their respective burdens, the said Gerrish giving an account to the surveyor generall yearly or oftner, as the law directs.

1684.

7 May.

It is ordered, that Nathaniel Clarke be the navall officer for Newbery and Salisbury ports.

Nath. Clarke  
officers to y<sup>e</sup>  
ports of New-  
bery & Salis-  
bury.

S<sup>r</sup>: —

Wee having had no aduice from you by the shippes lately arrived, that our letters to you & letter of attorney, being sent by John Balston, are come to your hands, wee have therefore sent coppies of all ouer againe, and have also sent by this ship one hundred pounds more, intending such further supplies that yow may not want what will be necessary. Wee hope you will use your endeavour to spinne out the case to the vttermost. We question not but the council which you retyne will consult my lord Cooke his fowerth part about the Isle of Man, & of Guernsey, Jersey, and Gascoine, while in the possession of the kings of England, where it is concluded by the judges, that these, being extra regnum, cannot be adjudged at the Kings Bench, nor can appeale ly from them, &c.

10 May.

Courts letter to  
Robert Hum-  
freys, Esq<sup>r</sup>, 10<sup>th</sup>  
May, 84, &c.

Also, if there be such a thing as an appeale from a judgement in the Kings Bench, by a writt of error to the Exchequer Chamber, we hope yow will endeavour for us, that whatsoever benefit the law affords, we may, by due & meet applications, be pertaker of the same, w<sup>ch</sup> is all the needfull at present. So, wishing you good successe, we rest

Your assured lō freinds.

EDWARD RAWSON, Secret<sup>y</sup>.In the name & by order of the Gov<sup>t</sup> & Comp<sup>y</sup> of y<sup>e</sup> Massachusetts Bay.\*To the Kings most excellent Maj<sup>ties</sup>.

[\*439.]

The humble petition & addresse of the Generall Assembly of the Massachusetts Colony in New England, in behalfe of themselves & the ffreemen of said colony.

17 May.

Generall  
Courts address  
& petition to his  
maj<sup>ty</sup>, to be  
sent by 1<sup>st</sup>  
shipec, &c.

May it please yo<sup>r</sup> maj<sup>ty</sup>, —

As it was the vnfeigned desire of our fathers that brought vs over into this wilderness, & more especially of those that from time to tyme have had the government of us, to approove themselves loyall and obedient subjects to your maj<sup>ty</sup>, in like manner, we, their children & successors, shall euer more endeavour the same; and having seriously considered the contents of your



1684. maj<sup>ties</sup> declaration referring to the quo warranto sumōning by name some of us to appeare before your maj<sup>tye</sup>, —

17 May.

Wee prostrate ourselues at your maj<sup>ties</sup> royall feete, and humbly begg your maj<sup>ties</sup> royall favour not to charge it vpon vs as proceeding from any disloyall inclinations, or the peruersness of our minds, that wee cannot make such full submission and entire resignation to your maj<sup>ties</sup> pleasure as in your maj<sup>ties</sup> declaration is intimated; and that we account it our great vn happiness not to be made acquainted with your royall pleasure before our obedjence therevnto be required.

We are your maj<sup>ties</sup> poore subjects, the children & ofspring of those that, vnder the security of the charter granted by your royall father, left all that was deare to them in your maj<sup>ties</sup> three kingdomes, not for the sake of outward aduantages, but that they might not be offendo<sup>rs</sup> against either church or state in those things the enjoyment whereof they put farr greater value vpon then their private interests & proprietjes; and seeing we are not capable of returning to the enjoyment of what our fathers willingly forsooke, wee doe therefore most humbly intreat that wherein they who were the first planters of this your maj<sup>ties</sup> colony, and are now generally deceased, haue vnwillingly trespassed against your maj<sup>ties</sup> prerogative or charter to them granted, that your maj<sup>ty</sup> will not now impute it to vs, who, in all sincerity, shall endeavor your maj<sup>ties</sup> satisfaction, as in duty bound; and may wee still enjoy the favour of hauing our erro<sup>rs</sup> assigned. Wee doubt not but that our

[\*440.] readiness in reforming may prevent your maj<sup>ties</sup> \*proceeding in a way so contrary to your most gracious incljnation, from which, in the midst of all our dispondencies, we take encōuragmēt humbly to supplicat that there may not be a farther prosecution had vpon the quo warranto; it being very greivous to us to thinke of majnteyning any controuersy with your maj<sup>tye</sup>, as more fearing any occasion of loosing your royall favour then the censure of the law. We hope it will no less tend to your maj<sup>ties</sup> honour to be preuailed vpon by your oune innate clemency, then by the sense of our misdeeds; and beleieve that in times to come it will be no regret of minde to your maj<sup>tye</sup>, that your distressed New English subjects haue been releived by your soueraigne grace.

And wee, your maj<sup>ties</sup> most loyall subjects, as in duty bound, shall euer pray, &c.

S<sup>r</sup>: —

Courts letter 17  
May to Robert  
Humphreys,  
Esq<sup>r</sup>

We, being desirous by all wayes or meanes that we can thinke of to expresse our vnwillingnes to proceed in a course of law with his maj<sup>ty</sup>, if it be not too late, haue agreed vpon this addresse inclosed, according to former intimations to yourself, that wee would make an humble application to his

maj<sup>ty</sup>, if it might be, to prevent a judgment against us, who, from no principle of disobedience or pragmatik humo<sup>r</sup>, haue made that hard & vnpleasant chojce, w<sup>ch</sup> wee haue formerly acquainted yow with, desiring your assistance in the mannagement of a suite at law with his maj<sup>ty</sup>. Nothing but meere conscience of our duty to God & our posterity hauing binn the sole motive to us in this action, yet wee haue that confidence in your prudence and faithfullness, that if, by consulting our judicious freinds, and such council as yow shall make vse of on our behalfe, yow shall judge the presenting of this addresse in our names be more likely to irritate or provoke his maj<sup>ty</sup>, and so to disadvantage us, wee desire yow to forbear the presenting of it at this time, vntill yow shall see a more convenient season, or wholly to suppress it, if yow should judge that best. \*Wee hereby ayming to express our vnfeigned desires to submitt ourselues to his maj<sup>ties</sup> royall pleasure concerning us, only humbly praying his maj<sup>ties</sup> favour to be extended towards us for the continuation of the libertjes and priuiledges to us granted by his maj<sup>ties</sup> royall charter, wee desire your assistance in the presenting of it. Wee haue herewith sent yow a copy of that letter w<sup>ch</sup> we sent by Dauid Edwards, for feare of miscarriage. So, wishing yow success in your & our affajres, wee rest

Your assured lō freinds.

EDWARD RAWSON, Secret<sup>r</sup>.

In y<sup>e</sup> name & by ord<sup>r</sup> of y<sup>e</sup> Go<sup>d</sup> & Comp<sup>a</sup> of y<sup>e</sup> Massachusetts Bay.

Bostō, 17 May, 1684.

This Court, taking notice of the great paynes & labour of the Reuend Mr John Hale in his sermon vpon the last election day, doe hereby order Samuell Nowell, Esq<sup>r</sup>, M<sup>r</sup> Henry Bartholmew, Cap<sup>t</sup> Daniel Epps, & M<sup>r</sup> Excercise Connant to give M<sup>r</sup> Hale the thanks of this Court for his great pajnes, and that, as a further testimony of their acceptance thereof, doe in the Courts name desire a copy of him, that may be fitted for the presse, and to take effectuall care that the same be printed at the publick charge.

Mr Hales sermon to be printed.

It was voted by the whole Court mett together, that it be left w<sup>th</sup> the council to supply M<sup>r</sup> Humfreys w<sup>th</sup> more mony, if they see cause.

More mony for M<sup>r</sup> Humphrys in case. Comitte<sup>e</sup> ab<sup>t</sup> ordinarjes. Comitte<sup>e</sup> for y<sup>e</sup> Tresurers accounts.

It is ordered, that John Richards, Samuel Nowell, & James Russell, Esq<sup>r</sup>s, are chosen & appointed a comitte<sup>e</sup> to make agreement w<sup>th</sup> the tauerners & ordinary keep<sup>r</sup>s of this colony.

Island Chebiscodego in Casco Bay gr<sup>ted</sup> to Tho. Danforth & Samuel Nowell, Esq<sup>r</sup>s, &c.

Jn<sup>o</sup> Richards, Elisha Cooke, Esq<sup>r</sup>s, with Captaine John Wayte, M<sup>r</sup> John Faireweather, and M<sup>r</sup> Edward Morrice, are appointed a comitte<sup>e</sup> to take y<sup>e</sup> country Treasurers accounts by October Court, if they cann.

This Court doth grant vnto the honnoured Dep<sup>ty</sup> Gouerno<sup>r</sup>, Thomas Dan-

1684.

17 May.

forth, Esq̃, præsident of the Province of Majne, & to Samuel Nowell, Esq̃, for their great paynes & good service donn by order of this Court in the expedition & seuerall journeys to Casco, for which no recompense hath binn made them, an island called Chebiscodogo, in Casco Bay, in the Province of Meyne, provided they take the sajd island in full satisfaction for all service donn, referring to the settlement of the Prouince of Meyne to this day.

[\*442.]

14 May, 84.  
Ans<sup>r</sup> to Comer,  
Dawsons, &c,  
petiçon, as to  
Wampus land,  
&c.

\*In answer to the petition of John Comer, Edward Pratt, W<sup>m</sup> Mumford, John Pittman, Georg Dauson, Joshua Hues, John Jackson, & W<sup>m</sup> Harison, &c, the Court knowes not of any land that Wampas, Indean, had any true or legall right vnto, he being no sachem, but a comon person; if the persons cann finde any land that was his, & w<sup>th</sup>held from them, the law is open where they may obteyne their right, if they cann make any such appeare.

Ans<sup>r</sup> to W<sup>m</sup>  
Fullers peti-  
çon.

In ans<sup>r</sup> to the petition of Willjam Fuller & Ruth, his wife, the Court, hauing read & perused y<sup>e</sup> annexed, sajd to be a copy of the will of the deceased John Peirce, doe not see any cause to act anything touching the same, but leaue the petitioner to the power therein granted in the sajd will for the disposing of the land therein mentioned.

Ans<sup>r</sup> to Sam<sup>l</sup>  
Wakefeilds  
petiçon.

In answer to the petition of Sam<sup>l</sup> Wakefeild, humbly desiring the favour of this Court to set vp a wooden frame, the Court sees no reason to grant his request.

Ans<sup>r</sup> to Tho.  
Richardsons  
petiçon, 60  
acres gr<sup>td</sup> him.

In answer to the petition of Thomas Richardson, humbly desiring the Courts favour to grant him a smale parcell of wast land w<sup>ch</sup> lyeth nere y<sup>e</sup> land that the late Jn<sup>o</sup> Euered alias Webb purchased, the Court grants the petiçoners request, the land petitioned for being next to his oune, so it be free from former grants, & that it exceed not sixty acres.

Ans<sup>r</sup> to Sarah  
Stephens peti-  
çon.

In ans<sup>r</sup> to the petition of Sarah Stephens, of Mendon, widdow, the Court judgeth it meet to order the one halfe of the land to the widdow to injoy to hir & hir heires, &c, and dispose of the other half of the land to be to hir children by Joseph Stephens, as they come to age, part & part like, the bringing vp the children, with the improvem<sup>t</sup> of the land.

Manasses  
Marston cornet  
of Sale. troope.

Manasses Marston is appointed cornet to Salem troope.

John Whites  
prohibition to  
build, &c.

In ans<sup>r</sup> to the petition of John Joyliffe, Edward Willis, & seuerall other inhabitants of Boston, the Generall Court, in February last being petitioned to, on misinformation had granted licence to John White, joyner, to build a timber house, &c, but afterwards, y<sup>e</sup> council being more fully informed of the great prejudice if such a building should be erected to the neighbourhood, & hazard to the toune, did phibit the sajd Whjtes procedure therein till this Court should take further order. This Court judgeth it meet to order, that the



sajd White doe forbear any procedure; that he attend to the late law, title Brick Buildings, vnder the pœnalty therein exprest. 1684.

\*In answer to the petiçôn of Mr James Allen, the Court grants his request, & allowes of the returne of the land lajd out by a sworne surveyor, as more at large is expressed in the platt annext to his petition.

17 May.

[\*443.]

Mr Duñiers  
land, 500 acr<sup>s</sup>  
lajd out to Mr  
James Allen.

The Court judgeth it meet to allow & approove of the five hundred ac<sup>s</sup> of land lajd out by David Fiske, surveyor, according as was granted by this Court, October, 1665, to Major Daniel Denison, now lajd out by y<sup>e</sup> order of Mr John Rogers, præident of Harvard Colledge, in behalfe of his wife, to whom the late Major Denison gaue it by his will, &c, as in the map or platt annext.

Maj<sup>r</sup> Deni-  
sons 500 acr<sup>s</sup>  
lajd out to Mr  
Jn<sup>s</sup> Rodgers,  
&c.

It is ordered, that there be halfe a country rate forthuith levyed & collected by the constables of the seuerall townes, & pajd into the country Treasurer in mony w<sup>h</sup>in three months of this date, to be improved for emergent occasions, &c.

½ a single coun-  
try rate in  
mony w<sup>h</sup>in 3  
months.

Leiftenñt W<sup>m</sup> Clarke, Cap<sup>t</sup> Aron Cooke, & Leif<sup>t</sup> Phillip Smith being chosen associats for y<sup>e</sup> County Courts in Hampshire for y<sup>e</sup> yeare ensuing, this Court allowed & approoved of their chojce.

Hampshire as-  
sociats.

This Court allowes & approoves of the seven hundred acres of <sup>^</sup> layd out, as in the map annext, to the late Edmond White by David Fisk, sworne surveyor, & y<sup>t</sup> by order of Humphrey Davy, Esq<sup>r</sup>.

Mr Edmond  
Whites 700 acr<sup>s</sup>  
lajd out p<sup>r</sup> or-  
der to Mr Hum-  
phry Davy.

The Court judgeth it meet to allow of the farme of five hundred acres of land, as in the map annext, to Mr Elijah Corlett, by order of M<sup>rs</sup> Margery Flynt, that purchast the same, to whom it was granted, as in the Courts order therevnto affixed.

Mr Corletts 500  
acres lajd out  
to M<sup>rs</sup> Margery  
Flint, &c.

In ans<sup>r</sup> to the petiçôn of Thomas Holbrooke, Edward West, selectmen for the toune of Sherborne, it is ordered, that the grant of land vnto the inhabitants & others at or neere Boggestow shall be & hereby is confirmed vnto them, according to the plat now before the Court, dated 25 3<sup>rd</sup> m<sup>o</sup>, 1677, signed Thomas Thirston, provided alwayes it doe not intrench vpon former grants to any toune or particcular persons. And it is ordered, that the name of the toune be Sherborne, and that it belongs to the county of Middlesex.

Sherborn peti-  
tion ans<sup>d</sup>, & it  
belongs to  
Middlesex, &c.

\*In answer to the petition of the inhabitants of Cambridge their petiçôn, & the townes answer being read, the Court, on due consideration, doe order, that Cap<sup>t</sup> Thomas Prentice, Mr John Faireweather, & Mr John Saffyn be a comittee to vejw the place in a thorough way, some of the inhabitants of the toune, & also of the petitioners, hauing notice given to be there; Mr Saffyn & Mr Faireweather to appoint time and place of meeting, & on all considerations to make their returne, on their vejw of the place, as to a divid-

[\*444.]

Ans<sup>r</sup> to y<sup>e</sup> in-  
habitants of  
Cambridg peti-  
çôn.



1684. ing line betweene them, to this Court, for their due consideration & determination.

17 May.

Courts grant as  
to Springfield  
bounds.

In answer to the petition of John Holyock, clarke, in behalfe of the toune of Springfield, the Court judgeth it meet to grant their petition, so farr as it respects the bounds of their toune, & was, that their north bounds to joyne to bounds of the toune of Northampton, on the west side of Connecticut Riuer, & to the bounds of the toune of Hadley on the east side of the said riuer, & that their bounds might extend to the brooke commonly called Stony Brooke, at the ffoote of the mounteyne that lye eastward of the townes; all w<sup>ch</sup> was g<sup>nted</sup> as above.

Ansr to Sam.  
Ball peti., con-  
st<sup>ble</sup> of Spring-  
feild.

In ans<sup>r</sup> to the petition of Samuell Ball, to Major Jn<sup>o</sup> Pinchon, & by him to the Generall Court, for seu<sup>ll</sup> pticulars, as y<sup>t</sup> y<sup>e</sup>ir rates be pd so as the constables be no losers, y<sup>t</sup> y<sup>e</sup> pcell of pease by him sent doune to procure mony for y<sup>e</sup> Tresurer, & was burnt in y<sup>e</sup> late fjer in Boston, might be accepted on y<sup>e</sup> countrys account; y<sup>t</sup> an abatement of ffuety fower shilling mony might be allowed him on the mony rate, y<sup>t</sup> he be no looser, the Court judgeth it meet to grant him his petition.

Courts letter to  
Edw<sup>d</sup> Cran-  
feild, Esq<sup>r</sup>,  
Gou. of Hamp-  
shire.

Honno<sup>ble</sup> Sr: —

Complaint being made by his maj<sup>ties</sup> good subjects of the Prouince of Meyne, that they are greatly injurjed, being required by your officers to make payment to them for their vessells transporting of their lumber, the produce of that prouince, to the market, when as that they onely pass on their oune side of the riuer, that is by his maj<sup>ties</sup> charter the stated bounds betwene said prouince and that which is vnder your honno<sup>s</sup> gouernment.

Wee haue confidence that yow will not authorize yo<sup>r</sup> officers to act in a matter so extra judiciall, and highly imposing vpon the liberty & property of his maj<sup>ties</sup> subjects, nor yet countenance any that shall so doe; and therefore doe hereby comend it to your honno<sup>r</sup>, that for the future all causes of complaint with refference thereto maybe remooved, which will contribut to the continuance of peace & freindship, the w<sup>ch</sup> we desire, & shall seeke for on our p<sup>ts</sup>, who are, s<sup>r</sup>,

Your freinds & servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In y<sup>e</sup> name & by order of the Gou<sup>no</sup>r & Company of y<sup>e</sup> Massachusetts Bay.

Boston, 16<sup>th</sup> May, 1684.

[\*445.]

\*In the case betweene W<sup>m</sup> Hawkins & Anna, his wife, complayning ag<sup>t</sup>

Robert Burnet & seuerall others, as in their petiçon on file, the Court, hauing duely considered the case, & euidences, & pleas made by both partjes, and finding it very difficult to releive th<sup>o</sup> complajnant, doe judge meet & doe order, that Elisha Hutchinson, Esq<sup>o</sup>, Mr John Saffyn, & Mr James Conuers be a comittee to repajre to Reading, & survey & measure the place & the lotts where it is supposed the lands sued for either is or ought to be lajd out, who are hereby impowred to call before them wittnesses, & examine them vpon oath if they see cause, and to vse their vtmost endeavo<sup>r</sup>s to find out what may tend to releive the complaynants, and make returne thereof to the next session of this Court, that so a right judgment may be given in the case, pröided the complainants be *be* at the charge of the comittee.

1684.

27 May.

Comittee as to y<sup>e</sup> case of W<sup>m</sup> Hawkins & Anne his wife & Robert Burnett, &c, cum alijs.

In answer to the petition of Mr John Rogers, presid<sup>t</sup> of Harvard Colledge, humbly desiring the favo<sup>r</sup> of this Court, that, to avoyd great inconveniencjes, the Tresurer of the country may be ordered & inabled once a quarter, from tyme to tyme, to reimburse him according to the proportion of the salary granted to him, the Court judgeth it meete to grant his request as above.

Ans<sup>r</sup> to Præsident Jn<sup>o</sup> Rogers petition.

Seuerall acts of this Court, dated 14<sup>th</sup> of October, 1651, and 14<sup>th</sup> of October, 1668, being presented to this Court, wherein y<sup>e</sup> land purchased y<sup>t</sup> this Court purchased of Mr Hansierd Knollis was granted to y<sup>e</sup> late W<sup>m</sup> Hawthorn, Esq<sup>o</sup>, should be lajd out to the late Thomas Clarke, Esq<sup>o</sup>, in Kittery, a plott being annexed to copies of those grants, being produced & presented as lajd out by Jn<sup>o</sup> Evens at request of Peter Coffin, runn<sup>g</sup> from Piscq Riuer, N. E. ½ E., five hundred and eighty perch in length towards Yorke Riuer, being just half way betweene Piscaqua Riuer and Yorke Riuer, there being twenty fower perches allowed for winding of lynes, and is in breadth two hundred and forty perch throughout, bounded on Piscatqua Riuer, & lyeth betweene Watts Fort & Franke Fort, S. E. & ½ S., the land so returnd & bounded, as in y<sup>e</sup> plat, was allowed of to be in sattisfaction of y<sup>e</sup> above recited grants.

Mr Hansierd Knollis laid out to Tho. Clarke, Esq<sup>o</sup>, mentiond in a plat on file.

In answer to the petitions of W<sup>m</sup> Manning & John Cooper, it is ordered, that Mr W<sup>m</sup> Manning & Mr Samuel Gookin, jointly & seuerally, shall & hereby are fully impowred to aske and demand of the seuerall subscribers, for the errecting of the bricke building at the colledg, \*their seuerall subscriptions yet behind & unpajd, and on any of their refusall to pay their just dues, such person or persons to sue, and recouer what remajnes, and that they haue a compensation for the same out of what they gather, making returne of what they doe to this Court at their next sessions, that so Mr Manning & Mr Cooper, Mr Manning may haue thirty five pounds, & Mr Cooper fueteene

Ans<sup>r</sup> to Mr Mannings petiçon.

[\*446.]

1684. pounds, in or as mony, and the remainder, if any be, to be at the dispose of the ouerseers of the colledge.

27 May.  
Ans<sup>r</sup> to Alice  
Eatons peti-  
tion.

In ans<sup>r</sup> to the petition of Alice Eaton, the request therein is granted; and Thomas Broune, of Cambridge, & John Fuller, of Dedham, the petitioners neighbour, are appointed to be the co<sup>m</sup>ittee w<sup>th</sup> himself to inspect into this affajre, and examine what is done by the said John Eaton, irrationally & illegally; as also to take due course for the prevention of future damage, & preserve the estate for the benefit of the ffamily.

Cap<sup>t</sup> Prouts  
souldjers liable  
to watching.

There being a quæstion, whither the souldjers vnder the co<sup>m</sup>and of Capitaine Timothy Prout should be l<sup>j</sup>able to watching, the Court resolues this question in the affirmative; and it is ordered, that the souldjers aboue mentioned shall be l<sup>j</sup>able to watch in all watches in the seuerall companjes where they dwell.

[\*447.] \*Att a Gennerall Court, called by the Gow<sup>n</sup>or & Magis<sup>ts</sup>, on the  
9 July. Gow<sup>n</sup>or's receipt of his Maj<sup>ties</sup> letter, to sitt, & satt in Boston,  
July 9<sup>th</sup>, 1684, at one of the clocke.

PRESENT, Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gō,

Daniel Gookin,	} Esq <sup>rs</sup> .
Nathaniel Saltonstall,	
Humphry Davy,	
Jn <sup>o</sup> Richards,	
James Russell,	
Samuel Nowell,	
Peter Tilton,	
Robert Pike,	
Elisha Cooke,	
W <sup>m</sup> Johnson,	
John Hathorne,	

The names of y<sup>e</sup> deputjes at y<sup>e</sup> Court were, —

Dated 8 March,  
83-4.

HIS maj<sup>ties</sup> letter & the act inclosed, w<sup>th</sup> Sr Ljonell Jenkins, were read in open Court, both houses being together, w<sup>th</sup> his maj<sup>ties</sup> proclamation.

This Court being informed that great disorders and depredations haue binn co<sup>m</sup>itted by seuerall of his maj<sup>ties</sup> subjects, to the great damage and prejudice of his maj<sup>ties</sup> allies, and contrary to treatjes of peace and that good

correspondence which ought to be mainteyned betweene Christian princes and states, and that seuerall persons, contrary to their duty and good alleageanc, haue and doe goe from this colony into forreigne pñces services, and saile vnder their coñmissions, for the prevention whereof, —

1684.

9 July.

It is ordered and enacted by this Court and the authority thereof, that from & after the publication hereof, it shall not be lawfull for any person that now doth or hereafter shall inhabit, come in, or belong to this colony to serve in America, in any hostile manner, vnder any forreigne prince, state, or potentate, or any imployed vnder them, against any other forreigne prince, state, or potentate in amity with his maj<sup>ty</sup>, w<sup>th</sup>out speciall licence or coñmission first had from his maj<sup>ty</sup>, or the Goũno<sup>r</sup> and Company of this colony, vnder the colonjes seale, or some of his majesties goũno<sup>r</sup>s or other lawfull authority vnder him elsewhere, for their so doing; and that all and euery such offender or offenders, being duely conuicted, shall suffer the paynes of death.

Provided, neuertheless, that this act nor any thing therein conteyned shall extend to any person or persons which now are or haue binn in the service or imployment of any forreigne prince, state, or potentate whatsoeuer, that shall returne to this colony, and leaue and desert such service or imployment, before the 25<sup>th</sup> day of March next ensuing. And bee it further enacted by the authority aforesajd, that all and euery person or persons that shall entertheyne, harbo<sup>r</sup>, counsel, trade, or hold any correspondence by letter or otherwise w<sup>th</sup> any person or persons that shall be deemed and adjudged to be privateers, pyrates, or other offenders w<sup>th</sup>in the constructions of this act, and that shall not readily endeavo<sup>r</sup>, to the best of his or their power, to apphēd or cause to be apprehended such offender or offenders, shall be lable to be presented as accessaries and confederates, and suffer such paynes and pœnaltjes as by law is in such case provided.

And be it further enacted by the authority aforesajd, that the cheife coñmission officer then present vpon the place, in any toune or harbour, where there is no magistrate or other person invested with like authority resyding & at hand, are hereby, in their seuerall precincts w<sup>th</sup>in this colony, required \*and impowred, vpon his or theire knowledge or information given that any privateers, pyrates, or other persons suspected to be vpon any such vnlawfull designs, to grant warrants to the constables of the place to apphēd & seize euery such person or persons, and, if need be, shall assist the constable, and raise and levy such a number of well armed men as he or they shall thinke meet for the seizing and apphēding of euery such person or persons, and carrying them before the Gouerno<sup>r</sup> or some of the magistratē, to be further examined and proceeded against as the law directs.

[\*448.]

Law ag<sup>t</sup> pirates  
& privateers.



1684.

9 July.

And in case of any resistance or refusall to yeild obedience to such authority and seizure, it shall be lawfull to kill or destroy such person or persons; and all and euery person that shall oppose or resist, by striking or firing vpon the officers, or any that are by him comāded for his ajd or assistance, shall be deemed, taken, and adjudged capitall offenders, and be put to death; and euery such officer that shall omitt or neglect his duty therein, being legally conuicted w<sup>th</sup> in three moneths after such his neglect, shall forfeit fuetty pounds in currant money of this colony for euery such offence for the vse of this colony.

And euery person or persons that, vpon orders given him or them, shall refuse to repaire imēdiately w<sup>th</sup> his or their armes, well fitted, and amunition, to such place or places as shall be appointed by y<sup>e</sup> sajd officer, and not readily obey his comānd in the execution of the premisses, shall be liable to pay a fine of fūe pounds in money, or suffer such corporall punishment as the maiestrate or County Court that shall haue cognizance thereof shall determine.

Ans<sup>r</sup> to inkeepers petition.

In answer to the petition of seuerall touerno's & inkeepers licensed, this Court, for the encouragement of the petiōners and others, licensed, as the law directs, for keeping of houses of publick entertainement, and for their security against the great injurjes to them sustejned by the irregular practises of all vnlicensed persons, doe order, that all tithingmen, grand jury men, & constables, in their respective places, diligently inspect all disordered houses that do, contrary to law, retajle wine, ale, beere, cider, licquo's, &c, without license, and to prosecute the wholesome lawes made against all such disorders.

And doe further order, that one complaint made by any licensed person against any that are vnlicensed for transgressing in that kinde before any magistrate or County Court, and being legally conuicted thereof, euery such complajnant shall haue for his recompenc the one moyety or halfe part of the fine or fines imposed vpon such delinquents.

*\*By the Gov<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England, at a speciall Gennerall Court, called by the Gov<sup>r</sup>no<sup>r</sup>, to be held and sett in Boston, 10<sup>th</sup> day of September, 1684.*

1684.

10 September.

[\*449.]

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Gov<sup>r</sup>,  
 Thomas Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gov<sup>r</sup>,  
 Daniel Gookin,  
 Nathaniel Saltonstall,  
 Humphry Davy,  
 John Richards,  
 James Russell,  
 Robert Pike,  
 Sam<sup>l</sup> Apleton,  
 Elisha Cook,  
 John Hathorne,  
 Elisha Hutchinson,  
 Samuel Seawall.

Deputjes returnd to serve at y<sup>e</sup> Court were, —

**T**HE Court mett. The Gouverno<sup>r</sup> declared the grounds for his calling the Gennerall Court, w<sup>ch</sup> was receipt of letters, in w<sup>ch</sup> was some informations p a transcript of a letter by Joseph Dudley, Esq<sup>r</sup>, out of one directed to him, w<sup>th</sup> severall papers in it, all w<sup>ch</sup> was read in Court the 11<sup>th</sup> September, 84, y<sup>e</sup> Court being adjourned to that time.

Whereas it is found, by experience, that the provision made by the law, ti<sup>x</sup> Jurjes, May, 1672, for releife in case of apparent corruption or error in the jurys giving in their virdict contrary to law and evidence, is perverted to the burdening of the country with vnreasonable trouble, the great wrong of partjes concerned, with vnjust reflections made thereby vpon the jurys, —

It is ordered by this Court and the authority thereof, that in all attaints, before the entry or allowance thereof, that the party attainting shall give in writting, vnder his hand, for what cause, & shew how the same doth appeare so to be; and in case, vpon a due tryall as the law provides, the virdict of the former jury be confirmed, such party so attainting shall pay to the country, as a fine for vnneccessary trouble to the Court, tenn pounds in money, and to the jury men that gaue in the former virdict forty shillings a peice; and in case

1684. be for corruption, it shall be lawfull for the jury so reproached joyntly or  
 11 September. seuerally to prosecute their action of slander as to them shall seeme meet;  
 and the plaintiffe reproaching shall also be lable to such further fine to the  
 country as the Court shall judge meet.

[\*450.] \*Also, in all cases where the former virdict is confirmed, the party con-  
 cerned shall haue double costs, and also double interest, for being deteyned of  
 his just debt according to former virdict.

Forme for execution.

To the marshall of S., or his lawfull deputy.

Forme of exe-  
 cution.

Yow are required, in his maj<sup>ties</sup> name, by virtue hereof, to levy, in exe-  
 cution, on the mony of A B, of B., the sume of ———, with two shillings  
 more for this execution, and deliuer the same unto C D, of ———, or to his  
 order, which is to satisfy a judgment the said C D recouered against the said  
 A B for so much in money, (including the costs of Court,) vpon a tryall be-  
 tweene them before the County Court, holden in B, the of ———, anno ———;  
 and in want of the money or other estate of the said A B<sup>s</sup>, to the sattisfaction  
 of the creditor, yow are alike required to seize the person of the said A B,  
 and him comitt vnto the safe keeping of the prison keeper in B, vntill he  
 make payment according to this execution, or otherwise be released by the  
 credito<sup>r</sup>, or by order of law. Hereof fajle not, as yow will answer the con-  
 trary at your perrills, and make returne of yo<sup>r</sup> doings herein as the law di-  
 rects, for which this shall be your sufficient warrant. Dated in B. P Curiã.

Mutatis mutandis, according to the tenno<sup>r</sup> of the judgment.

5 or 6 added to  
 be licenst in  
 Boston as to  
 ordinaries.

This Court, hauing been informed that the number of persons allowed to  
 be licensed in Boston for keeping of houses of enterteinment, and retayling  
 wine & liquors, &c, w<sup>th</sup>out doers, are not sufficient for the accommodation of  
 the inhabitants and trade of the toune, by reason whereof sundry inconvenien-  
 ces doe acrew, —

Doe order, that the County Court of Suffolke may license foue or sixe  
 more publick houses in Boston, the selectmen of the toune of Boston yearely  
 approving of the persons as meet & fitt for y<sup>e</sup> employment.

Bricks.

As an addition to and explanation of the law regulating the size of  
 bricks, made at the Gennerall Court, May 28, 1679, —

It is ordered by this Court and the authority thereof, that henceforth all  
 bricks shall hold out and be of the full size and demention expressed in the  
 aforesajd law, euen after they be sufficiently nealed or burnt; and to that end  
 all moulds for bricks shall henceforth be made of such a convenient size or

scantling, that the said bricks may and shall hold out, and be of the full  
 dimention prescribed, when they are sufficiently nealed or burnt, as aforesajd,  
 which shall be so judged \*and accounted merchantable when as at least three  
 quarters of euery parcell of bricks be hard and through nealed ware, and not  
 sunne bricks; and for the due observation hereof, euery toune (where bricks  
 shall be made or sold) shall annually choose two or more able men, each of  
 which shall haue power to vejw, diuide, and cull all bricks from time to time  
 that shall be exposed to sale, who shall be sworne to the faithfull discharge of  
 their office, and shall be allowed fower pence for euery thousand of good and  
 merchantable bricks they shall so cull; one halfe thereof to be pajd by the  
 sellar, and the other halfe by the buyer; and no bricks shall be sold or made  
 vse of before they haue binn vejwed and culled as aforesajd, vpon the pœnalty  
 of paying twenty shillings in money p thousand, one halfe thereof to the  
 toune where such bricks are made or sold, and the other halfe to the informer.

1684.

11 September.

[\*451.]

Addition to the

law as to  
bricks.Cullers to be  
chosen.

Pœnalty, &amp;c.

The surveyor gennerall is ordered to deliuer vnto Cap<sup>t</sup> Edward Ting, for  
 the vse of Fort Loyall, one barrell of powder of the meanest of the countrys  
 store and worst, and the value to be repajd againe by the Treasurer of that  
 prouince as soone as the quit rents come into his hands.

1 barr<sup>l</sup> of pou-  
der sent to fort  
Loyall, &c.

Mr Rob<sup>r</sup> Humfreys.

S<sup>r</sup>: By a private letter to Joseph Dudley, Esq<sup>re</sup>, wee are informed of new  
 measures taken at Court in our case, at w<sup>ch</sup> wee are amased, & haue called a  
 Gennerall Court seriously to consider & weigh what is further to be donne by vs  
 who are mett, and haue matters vnder debate; of what will be concluded yow  
 will receive by the first good oppertunitie. This I am comãded to signify by  
 this ship, which occasionally touched here from Jamajca. It is all at present,  
 the shipp being vnder saile, onely our thankses for yo<sup>r</sup> care & paynes in our  
 affajres. So

12 Septemb<sup>r</sup>.  
Letter to Mr  
Rob<sup>t</sup> Hum-  
phreys.

Your louing freinds.

EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

In y<sup>e</sup> name & by order of the Go<sup>u</sup>ino<sup>r</sup> & Company.

Boston, 12 September, 1684.

In answer to the petition of M<sup>rs</sup> Rogers, y<sup>e</sup> relict of the Reuerend M<sup>r</sup>  
 John Rogers, late president of Harvard Colledge, that the accounts might be  
 settled w<sup>th</sup> refference to the salary due to hir late husband for his service in sd  
 trust & place, this Court, considering the great loss sustejned to his estate by  
 so speedy remoovall from said place, doe order, that the Treasurer doe allow  
 and pay to his excecatrix & widdow his sallery for two full yeares.



1684.

12 September.

[\*452.]

Hannanja Parker leſ, Redding, &amp; Goodin ensig.

Henry Keely ensigne, Lancaster.

Ans<sup>r</sup> to Tho. Bakers petition.Ans<sup>r</sup> to W<sup>m</sup> Hawkins.M<sup>r</sup> Sewall freed from mannag<sup>t</sup> of y<sup>e</sup> printing pres.Ans<sup>r</sup> to M<sup>r</sup> J<sup>n</sup> Giffords petition.

[\*453.]

Order on Shapleighs estate.

\*In ans<sup>r</sup> to the petition of Leiftenñt J<sup>n</sup> Damon, for liberty to lay doune his place, the Court grants his request.

It is ordered, that Hannania Parker be leiftenñt in the roome of the abou<sup>n</sup> mentioned Leif<sup>t</sup> Damon, at Redding, and Sarjant A Goodin is appointed ensigne there, & vnder y<sup>e</sup> conduct of Jerremiah Swajne, captaine.

Henry Kerly, heretofore leiftenñt at Lancaster, now remooved, & marrjed at Marlborow, is appointed ensigne to the trajne band there in y<sup>e</sup> roome of his brother, deceased there.

In answer to the petition of Thomas Baker, the Court judgeth meet to grant a hearing of his case mentioned in his petition at the next session, and that the secretary signify the same by warrants to persons concerned, & that the execution be suspended till the case be determined.

In ans<sup>r</sup> to the petition of Willjam Hawkins, it is ordered, that the Treasurer pay him five pounds, for the care of Nicholas Cowley, a Jersyman, ready to perish, being sent to him by authority.

Whereas, at a sessions of the Gennerall Court in October, 1681, this Court was pleased to intrust M<sup>r</sup> Samuel Sewall w<sup>th</sup> the mannagem<sup>t</sup> of the printing press in Boston, lately vnder the improovement of M<sup>r</sup> John Foster, deceased, and whereas, by the prouidence of God, M<sup>r</sup> Seawall is rendered vnable to attend the same, he judging it reasonable to acquaint this honnoured Court therewith, desiring that he may be freed from any obligation vnto duty respecting that affajre, w<sup>th</sup> thankfull acknouledgm<sup>s</sup> of the liberty then granted, —

The Court grants the request aboue mentioned.

In answer to the petition of M<sup>r</sup> John Giffard, the Court grants the peti<sup>c</sup>oner a hearing of his case at the next session of this Court, the secretary giviñ timely notice.

\*Forasmuch as two of the ouerseers of M<sup>r</sup> Nicholas Shapleys last will, viz<sup>t</sup>, Richard Russell, Esq<sup>r</sup>, & M<sup>r</sup> Chickering, with Robert Knight, another ou<sup>s</sup>ceer, by y<sup>e</sup> uill of sajd Shapleigh had power to lett, set, & dispose of sd estate by sale, for the supply of the widdow, now, it hauing pleased God to remoove the sajd ouerseers by death, & the widdow of sajd Shapley is in great want, this Court haue therefore appointed Capt J<sup>n</sup> Phillips & M<sup>r</sup> Joseph Lynde, both of Charls Towne, w<sup>th</sup> the said Robert Knight, to supply the place of the ouerseers, heereby giving them power to lett, sett, or sell any part of the sajd estate for the maintenance of the widdow, & payment of hir just debts, they reserving the remainder for the children, according to the will.

*By y<sup>e</sup> Gounor & Company of the Massachusetts Bay in New England, at a second Sessions of the Generall Court, held at Boston, 15<sup>th</sup> of October, 1684.* 1684.  
15 October.

**I**T is ordered, that in case of misdemeano<sup>r</sup>, or vehement suspition thereof, where no Court is at hand, any magistrate or magistratticall comissioner, by warrant vnder his hand, or being present by his comānd, may impower any person to make search and apprehend any disorderly person, whereby their misdemeano<sup>r</sup>s may be brought forth and punished, and further evils of like kinde prevented, which man so impowred or comāded shall in the particullar he is employed in haue æquall power with a constable for requiring aide and assistance.

Magistrates & comissioners power in case of misdemeano<sup>r</sup>s suspected.

It is heereby ordered, that it may & shall be lawfull for the clerks or recorders of any and euery County Court of this colony to direct any execution by them draune to the marshall generall as well as to the marshalls of the county, so that the person who shall obteyne a judgment, and take out execution, may imploy which of them he shall see meet, provided alwayes when any such execution shall be deliuered to the marshall gennerall, the cost of it shall not be greater then if it had binn serued by the marshall of the county where the judgment was granted.

Execution may be served by y<sup>e</sup> marshall gen<sup>l</sup>.

The consideration that the country is *is* at great charges for transportation of pay to Boston and Charls Toune from the remote parts of the colony, as also great losse in measure, it is ordered by this Court and the authority thereof, that those to whom the country is indebted for sallerjes or otherwise, shall haue order from the Treasurer to receive their pay in the \*tounes where they liue out of the country rates, so farr as it will reach, or by the next tounes adjaacent, for what is due, in country pay, provided the payments ordered by the Treasurer be conveyed to those who are to receive it by the constables at the countrjes charge, to preuent so much losse & costs for carriage.

Country debts to be p<sup>d</sup> to all partjes in the seuerall tounes they liue in.

[\*454.]

Whereas complaints hath binn made to this Court that wolues haue binn taken in one toune, and afterward carried into another, and there killed, whereby such other tounes haue binn vnjustly charged, this Court doth order and appoint, that now toune or county shall be lable to make any payment by virtue of the law, title Wolues, except for such as shall be both caught & killed w<sup>th</sup>in their bounds respectively, any vsage to the contrary notw<sup>th</sup>-standing:

Wolues to be caught & kild in y<sup>e</sup> toune bounds, or not to be p<sup>d</sup> for.

John Richards, James Russell, & Elisha Cooke, Esq<sup>rs</sup>, w<sup>th</sup> Left John Phillips, M<sup>r</sup> W<sup>m</sup> Parkes, & M<sup>r</sup> W<sup>m</sup> Sumner, are hereby appointed a comitte

Comitte to inspect, &c, M<sup>r</sup> Monck & M<sup>r</sup> Wings accou.

1684.

15 October.

Twoe rates on  
mony, y<sup>e</sup> other  
country pay.

Secretary.  
Comitte, Mr  
Richards, Mr  
Rich<sup>d</sup>, Mr  
Cooke, Mr Saf-  
fyn, & Mr  
Faireweather  
to inspect y<sup>e</sup>  
Secret. acco.  
of 57:18.

Order for tran-  
scribing let-  
ters, &c.  
Records.

[\*455.]

Order as to Mr  
Shapleighs es-  
tate.

Ans<sup>r</sup> to Men-  
don petition,  
&c, as to rat-  
ing.

to examine the accompts of Mr George Moncke & Capt Jn<sup>o</sup> Wing, concerning the expences of the publicke now depending, & what more may be for this yeare expended, and make their returne w<sup>th</sup> all convenient speed.

This Court, on perysall of the returne of the comitte, doe order, that there be two rates this yeare, to be collected out of the townes, one in money, & the other in country pay; and that the sallerys of our present Go<sup>v</sup>no<sup>r</sup> & the rest of our honnoured magis<sup>ts</sup> shall be for this yeare as it was the last.

It is ordered by this Court, that the gent<sup>o</sup> that were appointed to examine the Treasurers accompt this yeare are hereby desired & empowred further to inspect & enquire into those particulars brought in by the secretary, to the value of fuetty seven pounds eighteen shillings, not accepted of by the Court, & to make returne of what they finde therein to the next sitting of this Court.

It being a matter of great concernment to the future weale of this people that all records of this Court relating to his maj<sup>ty</sup> & our affajres in England be carefully kept & preserved, it is ordered, that all letters that, from time to tyme, haue been received from his maj<sup>ty</sup>, or from any of his secretarys, together w<sup>th</sup> the answers returned by this Court, be all carefully revised, from the beginnig of these plantations to this day, and fairely entred in a booke entirely by themselues, and that for the future the same order be observed; and Mr Nowell & Mr Cooke are appointed to joyne w<sup>th</sup> y<sup>e</sup> secretary to effect this matter, who are hereby impowred to agree w<sup>th</sup> som meet person for y<sup>e</sup> transcr<sup>ipt</sup> \*thereof, & to charge bills on the Tresurer for y<sup>e</sup> payment thereof; and y<sup>t</sup> all letters & papers y<sup>t</sup> haue passed between this colony & other places (neighbo<sup>r</sup> colonjes) be transcribed into a booke likewise by themselues, & y<sup>e</sup> same comitte to inspect the same as aboue.

Forasmuch as the ouerseers of Mr Nicholas Shapleighs last will, viz<sup>t</sup>, Richard Russell, Esq<sup>r</sup>, and Mr Chickering, who, with Robert Knight, another ouerseer by the will of sajd Shapleigh, had power to lett, sett, and dispose of sajd estate by sale for the supply of the widdow, — now, it hauing pleased God to remoove the sajd ouerseers by death, and the widdow of sajd Shapleigh is in great want, this Court haue therefore appointed Capt John Phillips & Mr Joseph Lynde, both of Charls Toune, to joyne with the sajd Robert Knight to supply the place of ouerseers, hereby giving them power to lett, sett, or sell any part of the sajd estate for the maintenance of the widdow, and payment of her just debts, they reserving the remainder for the children according to the will.

In answer to the petition of Fardinando Thajer, Symon Peck, Samuel Read, Josiah Chapin, &c, selectmen, in behalfe of the inhabitants of Mendon,



the Court judgeth it meet to allow & empower the inhabitants of Mendon to asseſse the proprieto<sup>r</sup>s of land that liue not in that toune, as they doe their oune not improoved land, in all manner of rates, as well for their minister as otherwise, provided they rate their oune inhabitants in sajd rates, both heads, stock, & improoved lands, as the law directs for the country rates.

1684.

15 October.

It is ordered, that all persons liuing in Rowley Village, neere to Topsfeild, who are liable to attend military service on foot, shall attend their duty vnder the comānd of the cheife officer at Topsfeild, & be one company w<sup>th</sup> respect to military service.

Rouley village  
souldi<sup>r</sup>s vnder  
y<sup>e</sup> cheife officer  
at Topsfeild.

In answer to the peti<sup>c</sup>on of Martha Dady, relict of the late W<sup>m</sup> Dady, the Court judgeth it meet to referr the consideration of what is therein desired to the County Court in Charls Toune or Cambridge, on their examination to determine what they judg meet to be donne therein.

Ans<sup>r</sup> to Martha  
Dadys peti<sup>c</sup>on.

In ans<sup>r</sup> to the petition of the Reūnd Mr John Whiting, in behalf of himself & the rest of the children of M<sup>r</sup> W<sup>m</sup> Whiting, sometime of Hartford, this Court granteth to him & them one thousand acres of land, in ffull satisfaction of all that tract purchased by M<sup>r</sup> Hopkins & the petitioners father, at or neare Westfeild, provided it doe not pjudice any former grant, nor hinder any plantation for a towneship hereafter to be settled.

Ans<sup>r</sup> to M<sup>r</sup>  
Jn<sup>o</sup> Whittings  
peti<sup>c</sup>on, &c.

\*In answer to the petition of Priscilla Waldron & John Vsher, administrators of the estate of Isaac Waldron, the Court judgeth it fitt to impower the administrators to sell what land shall be found necessary for the payment of the debts of the deceased, provided it be donn with the advise & approbation of the County Court of Suffolke.

[\*456.]

Ans<sup>r</sup> to Priscil-  
la Waldron &  
Jn<sup>o</sup> Vshers pe-  
ti<sup>c</sup>on.

In answer to the peti<sup>c</sup>on of John Giffard, declaring that, at the suite of Thomas Walters, attorney for John Wright, Esq<sup>r</sup>, he hath been now a prisoner vpon execution fower yeares & seven moneths, and that the principalls being dead, sajd Walters hath denjed to make answer to the sajd Giffards in his action of revejw, as attorney to the sajd Wrights, whereby the sajd Giffard is rendered vncapable of hauing easement by a revejw of his case, and without the favour & justice of this Court shall inevitably perish in prison for want of meet suppljes for his releife, the aboue named Thomas Walters appearing in this Court, disclajmed all power to act as attorney on behalfe of sajd Wright, and withdrew himselfe out of the Court, refusing to make any further answer to the complaint of the sajd Giffard, or to discharge the prison dues of sajd Giffard, nor yet shewing any estate he hath concealed whereby he might releive himselfe, —

Ans<sup>r</sup> to M<sup>r</sup>  
Giffards peti-  
c<sup>o</sup>n.

The Court, hauing weighed the necessitous & perishing condition of the prisoner, with other considerations, doe heerby order & declare, that, vnless

His release on  
condition.



1684.

15 October.

sajd Walters, or some other in behalfe of sajd principall, doe, within ten dayes, appeare & give caution to the keeper for the discharge of the prisoners, & other necessaries for the releife of the sajd prisoner, the secretary shall grant his warrant to the keeper for his release, he, sd Giffard, paying prison fees & charges then due.

Anst to Mr  
Wade & Peter  
Tuffts petiçon,  
Meadford a pe-  
culiar.

In answer to the petition of Mr Nathaniel Wade & Peter Tuffts, in behalfe of the inhabitants of Meadford, the Court judgeth it meete to grant the petitioners request, and declares, that Meadford hath binn & is a peculiar, and haue power as other townes as to prudentialls, &c.

Marshall Gen<sup>ls</sup>  
sallery, 40<sup>li</sup> p<sup>r</sup>  
annu.

Whereas the marshall generalls sallery is not yet stated, it is ordered by this Court & the authority thereof, that the marshall generalls sallery, for time to come, be forty pounds p annū, twenty pounds thereof in money, and twenty pounds in country pay, any law, vsage, or custome to the contrary notwithstanding.

Anst to Mr  
Seawalls peti-  
çon.

In answer to the petiçon of Samuel Seawall, Esq<sup>r</sup>, humbly shewing that his house of wood in Boston, at the hill where the Reuerend Mr John Cotton formerly dwelt, which house is considerably distant from other building, & standeth very bleake, he humbly desiring the favour of this Court to grant him liberty to build a smale porch of wood, about seven ffoote square, to breake of y<sup>e</sup> winde from the fore doore of sajd house, the Court grants his request.

[\*457.]

Courts ad-  
dresse to his  
Majty.

\*To the Kings most excellent Majesty.

The humble petiçon & addresse of the Governo<sup>r</sup> & Compāy of the Massachu-  
setts colony in New England.

May it please yo<sup>r</sup> majty: —

That old and wise saying, that a divine sentence is in the mouth of the king, together w<sup>th</sup> the large experience your kingdome haue had of it during your majties peaceable reigne, and our oune tranquility vnder yo<sup>r</sup> shadow, makes vs bold to supplicate or to plead our cause w<sup>th</sup> your majesty, being humbly confident of your clemency & justice, that wee shall not be condemned vnheard or before wee haue legall notice.

The cause & ground of our fathers (and of some yet living) leaving all that was deare to them & us in England to come into this wilderness, a land then not inhabited, (but by the Indeans, of whom wee purchased the right,) was not out of dislike to the civil government, which wee alwayes highly prized, and accounted, at y<sup>e</sup> least, æquall to the best in the world, nor of the doctrine of the church of England, which, for the substance thereof, wee oune, embrace, & professe, but to avoyd the severity then exercised in many

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15 October.

places, because their consciences could not permit them to conforme to some ceremonjes of the church strictly imposed, accounted by some indifferent things, but to them otherwise. And therefore, to avoyd giving offence to his maj<sup>ty</sup>, or vndergoing that burthen they were not able to beare, they chose rather, in a quiet, orderly manner, to leaue their dearest native country, comitting themselues to the prouidence of the Most High, to encounter the difficultjes both of the sea & the wilderness. This his maj<sup>ty</sup> Charles the First, of happy memory, well vnderstood, who freely & graciously granted them a patent for this place, with the priuiledges therein conteyned, to them & their successors for euer; and vpon the confidence & security of that royall grant, transplanted themselues hither, where they & wee haue lived as exiles & great sufferers, grappling with many difficultjes, daingers, wants, and necessities, formerly & of later times with the cruell & chargeable warr with the Indeans, supported only by the goodness of God & the gracious shines of your maj<sup>ties</sup> favour, w<sup>ch</sup> wee desire euer to acknowledge w<sup>th</sup> all gratitude and thankfulness; nor haue wee binn altogether vnserviceable to yo<sup>r</sup> maj<sup>ty</sup> here, but vnder yo<sup>r</sup> majestjes protection & favour, haue, at our oune charges, subdued & secured a large tract of land, as an addition to yo<sup>r</sup> maj<sup>ties</sup> dominions, which otherwise probably would haue been possessed by some other nation; for most of all the other plantations & jurisdictions betwixt New Yorke and the French had their rise & beginning, or at least their increase & support, from this, both before & especially in the time of the Indean \*warr, when, w<sup>thout</sup> assistance from hence, they had in all probabillity binn vtterly destroyed. And as nothing hath binn more comfortable & encouraging to us in the midst of our sorrowes and sufferings then yo<sup>r</sup> maj<sup>ties</sup> royall favour & indulgence, formerly intimated in seuerall of yo<sup>r</sup> gracious letters, as to the acceptance of our settlement & confirmation of our charter, so nothing hath or can be more greivous & afflictive to yo<sup>r</sup> maj<sup>ties</sup> loyall subjects heere then to vnderstand yo<sup>r</sup> maj<sup>ties</sup> displeasure so farr provoked as to cause a quo-warranto to be taken out against our charter. And since that, as wee haue binn informed by a private letter, a scire facias and aljas were issued out of the Chancery against us, directed to the sherriff of Midlesex, and returned within sixe weekes, without legall notice to us, and that judgement thereon was entred. Not being conscious to ourselues that wee haue wittingly donn any thing to the just offence of your maj<sup>ty</sup> thro<sup>o</sup> our weakness and ignorance, we beleive & readily acknowledge wee may haue comitted some vnwilling errors or mistakes, for which wee prostrate ourselues at your maj<sup>ties</sup> feet, humbly begging and imploring your majestjes free pardon & forgiveness, with the continuance of our charter & priuiledges therein conteyned. And wee hope for the future,

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1684. next to our pleasing God, wee shall studdy your majties satisfaction in all things, and to render ourselues your majties most loyall and obedjent subjects & supplicants. And as in duty bound, shall euer pray, &c.

15 October

Courts letter to Mr Robert Humfreys.

Mr Robert  
Humfreys, sent  
wth ye adress by  
Mr Balston, 7<sup>th</sup>  
November, 84.

[\*459.]

Courts letter  
to Mr Hum-  
freys.

S<sup>r</sup>: Wee had oppertunity, by a ship which accidentally touched here from Jamajca about two moneths since, to signify the receipt of yours by Mr John Balston, and that a Court was called to consider the contents, & what was further for vs to doe, which hath since beene attended. On consideration of the whole, wee are not a litle surprised to vnderstand the procedure against us. Wee haue endeavored, from first to last, to attend his majties comānds in appearing and making answer to what was objected against us, p our agents, once and againe; & afterwards, when a quo warranto was sent ouer, which, by order of the council, was to be deliuered to the Governor & Company, \*appointed yourselfe and fully impowred yow to appeare for us, which *which* wee concluded did fully answer the direction of their lordships w<sup>th</sup> the methods taken in prosecution of it; for it was neuer heere served on the particullar persons named in the warrant, & our agents wholly deny that it was neuer served on themselues in England, as yow seeme to intimate. That now a scire facias should come from the Chancery, directed to the sheriffs of Midlesex, & to be returned within six weekes, & procedure against us vpon their returne of two nihills, cañot but amaze us. Wee hope wee haue not forfeited the priuiledge of Englishmen, that wee should be condemned vnheard, much less without being sumōned to appeare, which yow know was impossible in the time prefixed. Wee trust wee haue that to say for ourselues that might, in some measure, sattisfy or at least prevent so severe a sentence as condemnation of our charter; but by what yow signify hath passed, wee are wholly deprived of the oppertunity. Whateuer the methods of law are, which wee pretend not to a thorow acquaintance with, yet know they are grounded on right reason; and wee are not willing to dispajre of a further and a more favorable consideration of our case by those from whose justice wee implore releife. Howeuer, wee returne yow our hearty thanks for your care, pajnes, & faithfullness in our behalfe by yourselfe & those chosen for your counsell. Wee know not what could be doñ more, nor cannot direct for future; but if yow shall finde any way for our advantage, wee are confident in your endeavors, and doe assure yow wee shall not be ingratefull. Wee haue againe ordered one hundred pounds into Mr John Ives hand, where, as yow haue occasion, yow may call for it; and as more is needfull, yow may expect on notice. Wee haue likewise sent our humble addresse to his maj<sup>tie</sup>, w<sup>ch</sup> pray let be pre-

sented in the best manner yow can. Yow had had this sooner, but this is the first oppertunity since our former abouesajd, which, with our kind respects to yo<sup>r</sup>selfe, & to our honnored & worthy freinds, your counsell, whose labour of loue wee hope and pray God to compensate. Not willing to give yow further trouble at present, remajne

Your assured loving freinds.

By order of the Goũno<sup>r</sup> & Company of y<sup>e</sup> Massachusetts.

EDWARD RAWSON, Secret<sup>r</sup>.

Boston, 15<sup>th</sup> October, 1684.

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15 October.  
Courts letter to  
M<sup>r</sup> Humfreys.

\*In answer to the petition of M<sup>rs</sup> Elisabeth Rogers, relict & administratrix of the late Reũnd M<sup>r</sup> John Rogers, præsident of Harvard Colledge, humbly requesting the favo<sup>r</sup> of this Court to grant hir liberty to sell lands not exceeding the value of one hundred & fifty pounds or two hundred pounds, for the discharging of his mony debts, &c, the Court refers the matter to the County Court of Ipswich to enquire & examine what may be due from the estate of the sajd M<sup>r</sup> Rogers, and doe heereby impower the sajd administratrix to make sale of such parcell or parcells of land as may sattisfy the same, provided it exceed not the sume of two hundred pounds, for the discharging of such debts, & y<sup>t</sup> there be no other convenient estate to make payment thereof, & that all be donn w<sup>th</sup> the advice & consent of the sajd County Court.

[\*460.]

Ans<sup>r</sup> to M<sup>rs</sup>  
Rogers peti-  
con.

On the request of Cap<sup>t</sup> Richard Brackett, being aboute seventy three yeare of age, & infirmitjes of age vpon him, hauing desired formerly, & now also, to lay doune his place as cheife military comãder in Braintry, the Court grants his request, & doe order, that Leiftenãt Edmond Quinsey be captain of the foot company in Braintry in his roome, & Robert Twelues his leiftenãt, and M<sup>r</sup> Samuel Thompson ensigne, & that the secretary issue forth comissions to them accordingly.

Edmond Quinsey cap<sup>t</sup>, Robert Twelues leif<sup>t</sup>, and Sam. Thompson ensi., of Braintry.

Cap<sup>t</sup> Jn<sup>o</sup> Phillips & M<sup>r</sup> Joseph Lynde refusing to act according to y<sup>e</sup> order of this Court, 10<sup>th</sup> September last, this Court doth impower & appoint Robert Knight to make sale of any part of the estate of Nicholas Shapleigh, late of Charls Toune, deceased, to sattisfy for the past & future maintenance of the widdow, & the remainder to be to the children, and sajd Robert Knight is to giue an account of his doings therein to the County Court of Middlesex.

Robert Knight impowred ab<sup>t</sup> M<sup>r</sup> Shapleys estate.

In answer to the petition of the inhabitants of Cambridge, it is ordered, that the toune of Cambridge be allowed tenn pounds p<sup>r</sup> an<sup>n</sup> out of their country rate, in country pay, towards the maintenance of the bridge there, provided the sajd bridge be kept in continuall good repajre.

Ans<sup>r</sup> to Cambridg peti<sup>con</sup>, 10<sup>th</sup> p<sup>r</sup> ann. all. out of y<sup>r</sup> country rates.



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15 October.  
Ans<sup>r</sup> to Israel  
Reads peti<sup>o</sup>n.

In answer to the petition of Israel Read, humbly desiring the favour of this Court to grant him a licence to keepe an ordinary in Wooborne, the Court, hauing appointed a number of ordinary for the tounes, which is not yet altered, see no cause to grant his request.

Quansigamond  
called Worces-  
ter, & Cap<sup>t</sup>  
Wing of y<sup>e</sup> co-  
m<sup>i</sup>ttee. Their  
brand m<sup>r</sup>ke,

Vpon the motion & desire of Major Gen<sup>l</sup> Gookin, Cap<sup>t</sup> Prentice, & Cap<sup>t</sup> Da<sup>n</sup> Hinchman, the Court grants their request, i. e., that their plantation at Quansigamond be called Worcester, & y<sup>t</sup> Cap<sup>t</sup> Wing be added & appointed one of the co<sup>m</sup>i<sup>t</sup>tee there, in y<sup>e</sup> roome of the deceased, & that their toun brand marke be thus +††.

[\*461.]

Courts judg-  
ment inter Lef<sup>t</sup>  
Baker & Lef<sup>t</sup>  
Putnam.

\*In the case now before the Court, betweene Lef<sup>t</sup> Th<sup>o</sup> Baker, of Topsfeild, plaintiff, by peti<sup>o</sup>n, against Lef<sup>t</sup> John Putnam, defendant, in an action of trespass touching the falling of a tree, the Court, on a full hearing of the case, & all the evidences & records which may give light therein, doe finde for the present plaintiff fowerteen pence damage, & costs of Courts, & forty shillings for hearing the case at this Court, the whole eight pounds twelue shillings & eight pence.

Courts finall  
judg<sup>t</sup> in W<sup>m</sup>  
Hawkins case,  
&c.

Vpon the returne of the co<sup>m</sup>i<sup>t</sup>tee, & surveigh obteyned by petition of W<sup>m</sup> Hawkins, and Anna his wife, concerning certeine lands at Reading, claymed by the petitioners, this Court, hauing had a full hearing of the case, the evidences on all sides remayning on file in the records of this Court, doth therefore order and determine, as a fynall issue of all controuersy in or about the premisses, that the hundred and twenty one acres of land lying betweene the southerly side or bounds of the Newhalls lotts and the southerly side or bounds of old M<sup>r</sup> Robert Burnetts, alias Burnaps, land, as p the plott appeares, shall, w<sup>th</sup>all convenient speed, be, by a sworne surveyor, divided and lajd out into three æquall parts & proportions, according to the originall grants of the toun of Lynn, as other lotts lye in length from east to west, w<sup>th</sup> all its appurtenances, and that that bigger part thereof lying next to the land of the sajd Burnet, Se<sup>n</sup>, towards the north, is vndoubtedly and shall be accounted the land, and be in the plenary possession of the sajd Willjam Hawkins, in the right of his wife Anna, the daughter & heire to Edward Bircham, deceased, and that each party shall beare their oune charge, and that the marshall gennerall be ordered to put the petitioner into the possession of the premisses.

Ans<sup>r</sup> to W<sup>m</sup>  
Dyres peti<sup>o</sup>n.  
County Courts  
adjournm<sup>t</sup> to 1<sup>st</sup>  
Tuesday in No-

In ans<sup>r</sup> to the petition of W<sup>m</sup> Dyre, Esq<sup>r</sup>, humbly desiring the favour of this Court to grant him an audit in his case, &c, the Court sees no cause to grant the petitioners request therein.

[\*462.]

umber next.

\*This Court, considering the weighty affajres that are before them, which will take vp more time then was expected, see cause & doe hereby adjourne

the County Court of Suffolke, w<sup>ch</sup> was to sitt next Tuesday, to the first Tuesday in November next, & notice to be given accordingly; w<sup>ch</sup> was donne.

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24 October.

1. Propositions made by M<sup>r</sup> Stephanus Van Curtland, authorized by the government of the Massachusetts colony in New England, to the Macquase sachems, in the Toune Hall of Albany, the 30<sup>th</sup> day of July, anno Domini 1684.

Macquars articles of agreement, &c.

2. That the gouernment of y<sup>e</sup> Massachusetts colony haue & euer had a brotherly correspondence with the seuerall races of Macquars; that, because it hath binn firmly & inuiolably kept on their parts, as well as ours, the longer it continues, of the greater value wee doe account it.

3. That wee giue yow our thanks for the present left us at Albany with Richard Pretty, which, because of the great distance from vs, was sometime before wee had aduice thereof, and the winter coming on, hath prevented our coming, vntil now, to rattefy our freindship with yow.

4. That there were two persons sent from your brethren of the Massachusetts to haue come and seene yow at this time; but being a while since at Yorke, and finding that his hono<sup>r</sup> the Gofūno<sup>r</sup> was not then ready for his journey hither, & their occasions not allowing long stay, they, with the Gofūno's aduise, impowred me to make their present and rattify their former & happy freindship w<sup>th</sup> yow in their behalfe. Doe give yow ninety gilders wampam, thurty ells duffills, twelve shirts, one duzen stockings, three fatts rom, fower roubles tobacco.

Present, The R<sup>t</sup> Honno<sup>r</sup>ble Francis, Lord Howard, Barron of Effingham, Goū Gennerall o Virginea, the R<sup>t</sup> Hono<sup>r</sup>ble Col<sup>t</sup> Thō Dongan, Goūn<sup>r</sup> Geñill of New Yorke, w<sup>th</sup> the magistrates of Albany.

Interpreter, Arout Corn Vile. The names of sachems: Odianne, speaker, Connandondaw, & Shachdricquis, Rode, Hankedew, Sarighto, Taskanoonda.

The Macqua<sup>s</sup> sachems answer to the propositions made by M<sup>r</sup> Stephanus Cortland, agent for the colonie of Massachusetts in N. England, in the toune hall of Albany, the 31<sup>th</sup> day of July, 1684.

\*1. Wee thank the brethren of Boston for your proposalls made to us three yeares agoe, which wee answered last yeare, and returnd yow thanks, and wee thank you for the present given us yesterday. Doe giue two beavers. [\*463.]

2. Wee are glad the couenant is kept so fast on both sides. Wee shall neuer be wanting on our parts, but shall keepe it firme and inuiolable, and yow must doe the same. Do give two beavers.

3. Wee see yow haue vnderstanding to keepe the couenant well, by your

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comming heer to renew the same. Let the way be kept cleane, and let no brush or rubbish grow thereon, that the couenant may last for euer. Do give two beavers.

4. This is the couenant house. When any couenants are renewed, this is the p̄fixed place, which must be kept clean. And doe give two beavers.

5. The couenant chajn must be kept clear and bright; and wee all, viz<sup>t</sup>, our gouerno<sup>r</sup>, the gouernor, the gouerno<sup>r</sup> of Virginea and the Massachusetts colony, and wee Macquars, are in one couenant. Do give two beavers.

6. Wee doe plant here a great tree of peace, whose branches do spread abroad as farr as the Massachusetts colony, Virginea, Maryland, and all that are in freindship w<sup>th</sup> us; and do liue in peace, vnitje, & tranquillitje vnder the shade of sajd tree. And doe giue two beavars.

7. Brethren of Boston, wee do again acquaint you, that when any couenant is to be renewed with us, it is to be don in this Courthouse. Do giue two beavars.

8. Wee renew the couenant again, and do make the chain bright and clear, and hope the brethren of Boston will doe the same, and suffer no rust to come vpon it. Do giue two beuars.

This is a true copie, translated, compared, & reuised by me.

ROB<sup>MT</sup> LEUINGSTON, Sē.

Macquars artickles of agreement as to them, &c, returnd, & read in Court, the whole Court being together, 24 October, 1684, & stands this here recorded, word for word.

P order.

EDW<sup>D</sup> RAWSON, Sec<sup>ř</sup>.

[\*464.]

Ans<sup>r</sup> to M<sup>r</sup>  
Jn<sup>s</sup> Clarks pe-  
tiōn.

\*In answer to the petition of M<sup>r</sup> John Clarke, the Court grants the petition, prouided the petitioner make his appearance at the next County Court in Suffolke, to answer the crjme charged against him, for which he gaue bond, and abide the judgment of sajd Court.

Day of thanks-  
giving, 9<sup>th</sup> No-  
v<sup>br</sup> next.

The Lord our God hauing mercifully smiled vpon the people of this colony, graciously answering our prajers, by restrejning the excesse of rajne in the spring season, and hath also reserved vnto us the appointed workes of the harvest, and doth yett continue vnto vs our libertjes, both ciuil and ecclesiasticall, thrō his great long suffering towards us, our great vnworthiness notwithstanding, —

The goodness of God herein calling for our highest acknouledgments, this Court haue therefore appointed the 9<sup>th</sup> day of October next as a day of thanksgiving to God thrōout this colony, that the Lord may not be

provoked to cut us short for want of returning to give God the glory, comēding it to the ministers to take due care about it in their places, and inhibbiting s<sup>r</sup>vile labour to all people on that day.

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24 October.

Att a meeting of the comissioners at Hartford, 5 September, 1684.

Day of humil-  
liaçon.

The commissioners of the colonjes, considering what neede there is of our solemne addresses to God, by fervent prayer and humilljation of ourselves thrõout the country, by reason of those rebukes and threatnings from Heaven which wee are at present vnder, his hand being stretched out still, and also to implore grace for and the powring out of his Spirit vpon the rising generation, haue thought meet to recõmend it to the seuerall governments that the 22<sup>th</sup> day of October next maybe obserued as a day of solemne humilljation, to the end that wee may meete together in vnited prayers at the throne of grace, for the more effectual<sup>l</sup> promoting of the worke of gennerall reformation, so long discoursed of among ourselues, (but greatly delajed,) and that wee may obteyne the favour of God for a further lengthning out of our tranquility vnder the shadow of our lord the king, and that God would preserue his life, & establish his croune in righteousness & peace for the defence of the *the* Protestant religion in all his dominions.

ROBERT TREAT, President.

\*In concurrence w<sup>th</sup> the pious & seasonable motion made by the honno<sup>r</sup>d commissioners of the Vnited Colonjes, also considering the Lords hand vpon us by the epidemicall sicknesses, this Court doth order, and heereby enjoyne & require all the inhabitants of this jurisdiction, and such others as are residing among us, the observance & keeping of the 22<sup>d</sup> day of October next as a solemne day of humilljation and prayer in manner as is aboue provided, recõmending it to the minnisters of the seuerall churches & congregations to attend in their places the worke of the day; all servile labor on that day being prohibited.

[\*465.]

Sep<sup>r</sup> 17, 1684.  
Printed Octo-  
ber, 84.

In answer to the petition of the Praying Indeans on the one part, & the inhabitants of Marlborough on the other part, it is ordered, that Daniel Gookin, major generall, Left W<sup>m</sup> Johnson, & Cap<sup>t</sup> Elisha Hutchinson, Esq<sup>r</sup>, with M<sup>r</sup> Henry Bartholmew, M<sup>r</sup> Joseph Cooke, & Left Nathaniel Sternes, be a comittee to inquire into the complaint of the Indeans, & make report of what they finde to be any breach of any of the acts of this Court respecting said Indian plantation, that so all occasions of complaint may be avoyded, & the honno<sup>r</sup> of this Court may be mainteyned, and make their returne as to the prosecution of this affayre to the next Court of Election; the magis<sup>ts</sup> to

Comittee as to  
Marlborow.



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24 October.  
Committee abt  
Mr Rice his  
clajme, &c.

appoint time & place of meeting; the charge of the committee to be borne æqually by both parties concerned.

In answer to the petition of Mathew Rice, nere Sudbury, it is ordered, that Thomas Danforth, Esq̃, Dep<sup>t</sup> Goṽ, Daniel Gookin, Esq̃, major gennerall, & Samuel Nowell, Esq̃, w<sup>th</sup> Leiutenānt Sternes, Mr John Heines, & Mr Symon Stone, be a committee of this Court to examine the clajmes of Ensigne Jn<sup>o</sup> Grout, and the land petitioned for, and to state the ljne betweene Dedham & Naticke, and make report of what they finde to the next sessions of this Court, before any proceeding in this matter, and that some of Natick Indians whom the committee appoints shall attend, to shew the bounds claimed by them; the charge to be borne æqually by the petitioners.

[\*466.]

Ansr to Cam-  
bridg inhabit-  
ants petiōo, 10<sup>th</sup>  
in country pay  
allowed y<sup>m</sup>,  
&c.

\*In answer to the petition of Mr Samuel Andrews, in behalf of the inhabitants of Cambridge, it is ordered, that Cambridge be allowed tenn pounds p añ out of their country rate, towards the maintenance of their cart bridge ouer Charls Riuer, provided the bridge be kept in continuall good repaire, & that the tenn pounds allowed be in country pay.

Laws for the  
press.  
15 Novemb.,  
84.

It is ordered, that Elisha Cook, Esq̃, Mr Saffyn, and Mr Faireweather, w<sup>th</sup> the secretary, be a committee to pervse & fitt the lawes for the presse, & to pvse the addresse, & the Courts letter to Mr Humfreys.

Treasurers al-  
lowanc, 124 in  
y<sup>e</sup> 11, & former  
committee to  
perfect his ac-  
count & give  
discharge, &c.

Vpon pervsall of the committees returne who examined y<sup>e</sup> Treasurers accot, the Court, finding y<sup>t</sup> there is no certeine stipend allowed him for his paynes in the dischargd of trust comitted to him as Treasurer of the country, doe heereby order, that his allowanc shallbe for this present yeare respecting his last account one shilling in the pound, he standing to the loss of measure & charge of warehouse roome; and that the aforesajd committee respecting the Treasurers accounts are heereby impowred to perfect what is wanting to be donn in that last account, & therevpon to give him a discharge.

As attests

E. R., S.

This Court was dissolved.

*By the Gouno<sup>r</sup> & Company of the Massachusetts Bay in New England, at a speciall Gennerall Court, called by y<sup>e</sup> honno<sup>r</sup><sup>ble</sup> Gou & Assistants in Boston, to sitt in Boston 28 January, 1684, & y<sup>e</sup>n sat.*

28 January.

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Gō,  
Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gō,  
Daniel Gookin,  
Nathanī Saltonstall,  
Humphry Davy,  
Maj<sup>r</sup> Jn<sup>o</sup> Richards,  
Samuel Nowel,  
James Russell,  
Safm Apleton,  
Elisha Cooke,  
W<sup>m</sup> Johnson,  
John Hatho<sup>r</sup>,  
Elisha Hutchinson,  
Samuel Seawall.

Y<sup>e</sup> names of y<sup>e</sup> dep<sup>t</sup>s were, —

AT the opening of this Court the Gouverno<sup>r</sup> declar'd it, y<sup>t</sup> on the certeine or generall rumo<sup>r</sup>s in M<sup>r</sup> Jenner, lately arrived, y<sup>t</sup> o<sup>r</sup> charter was condemned, & judgment entred vp, &c, they lookt at it as an incumbent duty to acquaint the Court w<sup>th</sup> it, & leaue the consideration of what was or might be necessary to them, &c.

Whereas the law concerning building w<sup>th</sup> brick in stone in Boston seemes to prohibitt all manner of building or buildings, though neuer so small, of wood or timber, and in regard there is a necessity of many convenient places about houses to be built for shelter, which cannot conueniently be donn with brick or stone, this Court doth order, that it shall & may be lawfull for any person or persons to erect any small bujlding, provided it doe not exceed eight ffoote square, & seuen ffoote studd of wood or timber, any law to the contrary notwithstanding, provided they haue the approbation of the selectmen of sajd toune.

This Court, considering our present sad & awfull circumstances, & the increasing tokens of the Lords displeasure against us, together with the distressed condition of the people of God in other places, calling us to humble

Humiliation.

1684-5. ourselues before him, do therefore appoint the 12<sup>th</sup> day of March next to be kept as a solemne day of humilljation throughout this colony, & doe reco<sup>m</sup>end it to all the ministers & people in their seuerall congregations to attend y<sup>t</sup> worke, hereby prohibbitting all s<sup>r</sup>vile labo<sup>r</sup> on that day.

28 January.

[\*467.]

\*To the Kings most excellent Majesty.

The humble address of the Gouverno<sup>r</sup> & Company of the Massachusetts Bay in New England, assembled in Generall Court at Boston, 28<sup>th</sup> January, 1684, —

Sheweth, —

That your majestjes poore & distressed subjects of this colony haue binn long since transported & planted here vnder the most gracious & princely encouragement of yo<sup>r</sup> majestjes royall auncesto<sup>r</sup>s, of blessed memory, and since your maj<sup>t</sup>je happy restauration, haue had many gracious intima<sup>c</sup>ions of your maj<sup>t</sup>jes fauorable regard & incljnation toward us, and our good settlement and security heere, for which we renew to Almighty God & your maj<sup>t</sup>jes most humble thanks, as we ought allwayes; that since it hath pleased your maj<sup>ty</sup> to proceed in law against the charter of this your maj<sup>t</sup>jes province, in order to the vacating thereof, vpon the scire facias late brought against us in the Chancerje, of which wee neuer had any legall notice for our appearance and making answer; neither was it possible, in the tyme allotted, that we could. Had wee had oppertunity, it would haue binn easy to demon<sup>st</sup>re our innocency in what is objected against us. And we hope that heavy charge is beyond beleife, that we haue rased fifty thousand pounds p annū, converting it to our oune vse, inasmuch as the ordinary charge for the necessary support of the gouernment doth not amount to twelue hundred pounds a yeare; nor was there euer more raised on that accompt. And wee most humbly beseech your maj<sup>t</sup>je to allow us sincerely to proffess, that not one of the articles therein objected were euer intended, much less continnewed, to be do<sup>n</sup> in derogation of your most royall prerogative, or to the oppression of your subjects.

[\*468.]

It is matter of great greife & sorrow to our hearts, that, by being misrepresented as disloyall & disobedjent subjects, we are fallen vnder your maj<sup>t</sup>jes displeasure. Wee implore your maj<sup>t</sup>jes fauour, and humbly intreat that our great distance from yo<sup>r</sup> maj<sup>ty</sup>s royall court, \*our pouerty and many evill circumstances, may be so graciously considered as that, of yo<sup>r</sup> soueraigne grace, yow would be pleased to grant a pardon and amnesty of all our erro<sup>r</sup>s, and the continuance of all our libertys & i<sup>m</sup>munitjes granted in our charter, vnder the security of which our worthy predecesso<sup>r</sup>s vndertooke so great an adventure, and left their deare and native land, & very desireable enjoyments there, that

so they might ganne an innoſſenſive retjrement to worſhip God according to the dictates of their conſcience, warranted by the word of God, which we alſo account more pretious then all our outward concernes, the continuance of which will erect for yo<sup>r</sup> maj<sup>ty</sup> a laſting monnument of praiſe, & thanksgiving in the hearts of the preſent & ſucceeding generations.

Wee humbly take leaue to add, that, notwithstanding the many ill representations & informations that lye againſt us, wee are true lovers of your majeſties perſon and of the Engliſh gouernment, and doe render unfeigned thanks to Almighty God for your moſt happy & miraculoſus preſervation hitherto, and ſhall not be wanting to doe our vtmoſt endeavo<sup>r</sup> to promote your maj<sup>ties</sup> peaceable and proſperous reigne, for which alſo, as in duty bound, we ſhall euer pray.

It is ordered by this Court, that John Richards & Eliſha Cooke, Eſq<sup>s</sup>, with M<sup>r</sup> John Saffyn, M<sup>r</sup> John Faireweather, & M<sup>r</sup> Edward Morris, who were formerly appointed by this Court to audit the preſent Treasurers accounts, and make returne to the Court, who haue already made ſome progreſs therein, be impowred to ſettle his accompts as farr as they are cleare, & to give him a diſcharge accordingly for the ſame.

In answer to the petition of M<sup>r</sup> John Hubbard, the Court orders, that Major John Richards & Captaine Eliſha Hutchinson, M<sup>r</sup> John Saffyn, M<sup>r</sup> Stoddard, & Leueññit John Phillips be a committee to perſe and examine the petitioners accompts referring to the Caſtle, and give him a full diſcharge therevpon, as they ſee cauſe.

\*In answer to the petiçon of John Blackwell, Eſq<sup>r</sup>, on behalfe of himſelfe & ſeuerall other worthy gent<sup>n</sup> & others in England that are deſirous to remoue themſelues into this colony, for their encouragement, this Court grants vnto the ſajd John Blackwell, Eſq<sup>r</sup>, for the ends aboue expreſt, a tract of land of eigh miles ſquare, in any free place lying within this colony where he ſhall judge convenient for a townſhip to be lajd out as the law directs, and that the ſajd townſhip ſhall haue ſuch powers, priuiledges, & libertjes as other townſhips, he & they ſetling in the ſajd place at leaſt thirty familieſ and an able orthodox miniſter within three yeares next coming, and pay their proportion of the Indean purchase, if lajd out in the Nepmug country; and further, doe allow the ſajd townſhip freedome from country rates for three yeares after their ſettlement.

In ans<sup>r</sup> to the motion & request of W<sup>m</sup> Stoughton & Joſeph Dudley, Eſq<sup>s</sup>, on behalf of Major Thompson & themſelues, deſiring this Courts fauour to enlarg the time of their grant of their plantation, this Court doe enlarge

1684-5.

28 January.

Comittee to  
audit y<sup>e</sup> Tres-  
urers accompts  
& give a diſ-  
charge.

Comittee to  
audit M<sup>r</sup> Hub-  
bards accounts,  
&c.

[\*469.]

Courts grant to  
Cap<sup>t</sup> J<sup>n</sup> Black-  
wel, Eſq<sup>r</sup>, 60  
eight miles  
ſquare, &c.

Courts enlarg<sup>mt</sup>  
of tim for ſet-  
ling Major  
Thompson, W<sup>m</sup>  
Stoughton, &  
Joſeph Dud-  
ley, Eſq<sup>rs</sup>,  
plantation.



1684-5. the time for settling that plantation therein mentioned the space of three yeares from this day, January, 1630. [sic]

28 January.  
Enlargment of  
Roxbury plan-  
tation.

In answer to the petiçon of Edward Morris, deputy, on behalfe of the toune of Roxbury, humbly desiring the favour of this Court to enlarg the time of their settlement of their plantation granted to them, for three yeares from the day of y<sup>e</sup> date hereof, 31 Jañy, 84, and freedom from rates during that time, the Court grants the petiçoners request.

Tho. Thirston  
to solemniz  
marriag in  
Meadfeild.

In ans<sup>r</sup> to the petition of Samuell Mills, &c, the Court grants the petiçoners request, and doe hereby appoint & impower Leiftn<sup>t</sup> Thomas Thirston, of Meadfeild, to solemnize marriage to such as shall desire it there, they being published according to law, & one, at least, of the parties living in that toune.

[\*470.]

\*It is ordered, that Samuel & Elisha Cooke, Esq<sup>s</sup>, be a comittee of this Court w<sup>th</sup> the secretary, to draw up a letter in the name of this Court to Robert Humphreys, Esq<sup>p</sup>, & enclose this Courts adresse to his majesty therein, earnestly desiring the same to be humbly presented to his maj<sup>ty</sup> with all speed, w<sup>ch</sup> was donn, & is: —

M<sup>r</sup> Robert Humphreys.

Worthy S<sup>r</sup>: Although wee haue receiueed no particcular information from yourselfe concerning our affayre, yet being by rumour informed that our charter is condemned, & judgment entred vp against us, our Generall Court haue agreed vpon this enclosed adresse, to be presented to his majesty, and doe request your assistance for its speedy presentation.

How farr wee are indebted to yourselfe we know not, till we heare it from yow. We would willingly discharge our debts while we haue it, especially to yourselfe, to whom, for your freindship, as well as service, we are deeply indebted. Our Trasurer hath given order to M<sup>r</sup> John Ives to be making payment of our debts, in part, as far as our effects will goe.

And the Gennerall Court doe hereby, withall thankfullnesse, acknowledge their obligations to yourselfe and these honored and worthy gent<sup>n</sup> who are of council for us, still requesting of yow and them that, by the first oppertunity, wee maybe from yourself what maybe needfull for us to do vnder our present circumstances, as also what is past concerning us. Not to give yow further trouble at present, we are,

Yor assured freinds & servants.

EDWARD RAWSON, Secre<sup>t</sup>.

In the name & by y<sup>e</sup> order of y<sup>e</sup> Goũno<sup>r</sup> & Company of the Massachusets.  
Boston, 31 July, 1684.

& was directed to Robert Humphr<sup>s</sup>, Esq<sup>p</sup>, at his chamber in the Kings Bench lodgings, in the Innē Temple.

In answer to y<sup>e</sup> petition of Mary Salter, widdow, &c, it is ordered, that the case be respitted till the Generall Court in May next, and that all parties haue notice thereof, & be then heard. 1684-5.

28 January.

Ans<sup>r</sup> to Mary

[\*471.]

Salters petition.

\*There being seuerall of our vessells yet behind in England, and so possibly wee may heare further, either from M<sup>r</sup> Humphreys or some other, wee having as yet received no particclar inteligence about the entring vp of judgment against us, —

It is therefore ordered & concluded, that this Generall Court be adjourned till the 18<sup>th</sup> day of March next, being Wednesday, at one of the clocke in the afternoone.

The Gouverno<sup>r</sup>, in open Court, declar'd that this Court is accordingly adjourned to s<sup>d</sup> time, as aboue, 18<sup>th</sup> March, 1684, at one of the clock. 31 January,  
1684.

*At an Adjournment of the speciall Generall Court, from 28 Jañy to y<sup>e</sup> 18<sup>th</sup> March, 1684, at one of y<sup>e</sup> clocke.* 18 March.

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> G<sup>v</sup>,  
Daniel Gookins,  
Nath Saltonstall,  
Humphrey Davy,  
Jn<sup>o</sup> Richards,  
Samuel Nowell,  
James Russell,  
Saml Apleton,  
Robert Pyke,  
Elisha Cooke,  
W<sup>m</sup> Johnson,  
Jn<sup>o</sup> Hathorne,  
Elisha Hutchinson,  
Samuel Seawall,

Esq<sup>rs</sup>.

THE Court mett at the tyme, & taking notice of the great neglect that there is found in seuerall persons who are intrusted to see the observation of such orders as from time to tyme hath binn enacted, especially such as

Order as to reformation.

1684-5.

18 March.

Order advising  
to renew ch.  
coven<sup>t</sup>, &c.

haue a tendency to the reformatiōs of such euills as are found amongst us, do therefore order, that the selectmen, grand jury men, constables, & tithing-men of all townes within this jurisdiction are heerby strictly required to doe their vtmost to be faithfull in the discharge of their respective dutjes as to Saboath breaking, typling, & drincking, & toune dwellers mispending their time in publick houses of entertainment.

Inasmuch as nothing can be a more effectuall meanes for the lengthning out of our tranquility than our serious and speedy application of ourselues to the use of such due & meete methods for preuenting or remoouing those pro-uoking euills which are amongst us, together with our solempne engagements against the same, by renewing our couenant with God, which hath binn neglected too much in the most churches; this Court also considering how slow to anger the Lord hath shewed himselfe, which bespeakes his willingnesse yet to be preuailed with, if duely applied vnto, doe heereby recommend it to the ministers and churches in this jurisdiction that, with as much speed as maybe, they would consider what aduice or direction was given to this end by the late synod, and to prosecute the same to effect, and to use all possible wajes & means for the vpholding of church discipljne, & to that end that there be a ffull supply of all officers which are necessary there vnto.

[\*472.]

Former grants.  
Order confirm-  
ing all former  
grants, &c.

\*By y<sup>e</sup> Gofino<sup>r</sup> & Company of y<sup>e</sup> Massachusetts Bay in New England.

Whereas this Court, for the prevention of quæstions and suits at law that might arise vpon deeds & conveyances of houses and lands, wherein the word 'house' is omitted, when as an estate of inhæritance was intended to be passed, did, by the law, title Conueyances, Deeds, and Writings, sect 2<sup>d</sup>, order, that in all deeds and conueyances of houses and lands in this jurisdiction, wherein an estate of inhæritance is to be passed, it shall be expressed in these words, or to the like effect, viz<sup>t</sup>: To haue and to hold the sajd house or lands respectively to the partje or grantee, his heires and assignes foreuer; and therein provided, that that law should not extend to any land granted or to be granted by the inhabitants of a toune, thereby intending, although it is not so plainly expressed, that such grants of land by townes are an estate in ffee simple, notwithstanding the word 'heires & assignes for euer' are therein omitted, the aforesajd law being intended for the direction of priuate persons onely in their particular deeds and conveyances of land from one to another.

As an explanation of the sajd law, title Conueyances, Deeds, & Writings, and addition therevnto, it is therefore, by this Court and the authority thereof, ordered, enacted, and declared, that all such orders or grants of land heerto-fore made by this Court, or by any toune or townes in this jurisdiction, were

and are intended, and shall be construed and adjudged in the law, to be an estate in fee simple, and are hereby confirmed to the said persons and townships, their heirs and assigns respectively for ever, provided always, that such grants as do expressly declare otherways, viz<sup>t</sup>, to be for terme of life, or for terme of yeares, or during pleasure, or the like, shall not be included in this explanation or law; and when any person or persons shall take out an exemplification of any such graunt of this Court, vnder the secretaries hand, and desire the seale of this colony to be affixed therevnto, the Gouverno<sup>r</sup> for the tyme being is hereby ordered and impowred, in his testimoniall, to insert that the said graunt of lands is confirmed by the Generall Court held at Boston, March the 18<sup>th</sup>, 1684, to the said grantee or grantees, and to their heirs and assigns respectively for ever.

By the Court. EDWARD RAWSON, Secre<sup>t</sup>.

1684-5.

18 March.

\*In answer to the petition of M<sup>r</sup> Deane Winthrop, this Court grants his peti<sup>ti</sup>on, and orders James Russell, Esq<sup>r</sup>, country Treasurer, that he pay (as soon as may be) vnto the said Deane Winthrop, or his order, the third part of y<sup>e</sup> two hundred pounds given by the Generall Court, as is expressed in said petition, viz<sup>t</sup>, sixty six pounds thirteene shillings and fower pence, in country pay, and take his receipt in full of his part of said gift.

[\*473.]

Ans<sup>r</sup> to M<sup>r</sup> Deane Winthrops peti<sup>ti</sup>on, 66 13 4 to be p<sup>d</sup> him.

In answer to the petition of Symon Pecke, Sa<sup>m</sup>i Read, Josiah Chapin, &c, select m<sup>e</sup>n, in behalfe of the toun of Mendon, the Court grants the said peti<sup>ti</sup>oners freedome from country rates for the yeare ensuing.

Ans<sup>r</sup> to Mendon peti<sup>ti</sup>o, y<sup>e</sup>y are rate free for y<sup>e</sup> yeare 1685.

In answer to the petition of Goodman W<sup>m</sup> Trescot & Cap<sup>t</sup> Capen, of Dorchester, it is hereby ordered, that M<sup>r</sup> Henry Allen, M<sup>r</sup> Edward Morrice, & Ensigne Thompson shall & hereby are empowred, as a co<sup>m</sup>ittee, to make enquirje into the difference w<sup>ch</sup> is amongst them relating to fencing of their land, w<sup>ch</sup> hath binn presented to this Court, to make returne of what they judg meet to be don therein to the next sessions of this Court.

Ans<sup>r</sup> to Cap<sup>t</sup> Capen & W<sup>m</sup> Trescott, &c, peti<sup>ti</sup>o. Co<sup>m</sup>ittee.

In ans<sup>r</sup> to the petition of Cap<sup>t</sup> John Wajte, humbly desiring the favour of this Court to dismiss him from further attendance on his place of cap<sup>t</sup>, besides his age, God hauing incapacitated him by taking away his sight, the Court grants his request.

Cap<sup>t</sup> Jn<sup>o</sup> Ways dismissal.

In answer to the petition of John Fiske, of Wenham, a sore wounded soldjer in the late Indean warr, & thereby incapacitated to gett his living, humbly desiring the favour of this honoured Generall Court (hauing the approbation of the select men of said Wenham) to grant him a licence to keepe a publick house of enterteinment there, w<sup>th</sup> freedome from country rates, and also liberty to sell drinke free from imposts & excise.

Ans<sup>r</sup> to Jn<sup>o</sup> Fiskes peti<sup>ti</sup>on.



1684-5.

18 March.  
Courts ans<sup>r</sup> to  
Capt<sup>e</sup> Black-  
wells motion.

In answer to the petition of Capt<sup>t</sup> John Blackwell, this Court declar-  
eth, that the grant made to him of lands for a towneship at last sessions of  
this Court is to be vnderstood & interpreted to be to him & them that shall  
orderly associate themselues to him for planting & setling the towneship, and  
to their heires & assignes foreuer, and this Court doth hereby accordingly con-  
firme the same.

[\*474.]

Courts act as  
ans<sup>r</sup> to offseers  
of y<sup>e</sup> children  
& estate of  
Tho. Brigham.

\*In ans<sup>w</sup>r to the petition of the ouerseers of the children & estate of  
Thomas Brigham, for confirmation of the sale of certeine houses & lands left  
by him to his wife & children, the Court, on pervsall of the will of the sajd  
Brigham, thinkes meet to grant the peti<sup>ti</sup>on, provided that the o<sup>u</sup>rseers doe  
give security to the County Court to the vse of the children for the principall  
& effects as is exprest in the petition, it appearing to this Court that the aboue-  
sajd order was passed by the Generall Court in the yeare 1656, & although  
the engrossing thereof was omitted by the secretary, yet doe find it was entred  
in the register of the Courts acts by the deputjes, this Court doe order the  
secretary to enter sajd order in this Courts records which is as aboue.

Courts ad-  
journ<sup>d</sup> to the  
6<sup>th</sup> of May.

It is ordered, that this Court be adjourned to the first Wednesday in  
May next, at eight of the clocke in y<sup>e</sup> morning, and that if there be occasion,  
y<sup>e</sup> Gouverno<sup>r</sup> may please to give order y<sup>t</sup> it be signified to the seuerall townes.

1685.

6 May.

*By the Gouno<sup>r</sup> & Company of the Massachusetts Bay in New  
England, at a Generall Court, by adjournm<sup>t</sup>, held at Boston,  
6<sup>th</sup> May, 1685.*

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
Thō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> G<sup>v</sup>,  
Daniel Gookin,  
Nathā Saltonstall,  
Humphry Dauy,  
Jn<sup>o</sup> Richards,  
Safm Nowell,  
Safm Apleton,  
John Woodbridge,  
Elisha Cooke,  
W<sup>m</sup> Johnson,  
Jn<sup>o</sup> Hathorne,  
Elisha Hutchinson,  
Safm Seawall, Esq<sup>r</sup>s.

**\*\*THE** Gouverno<sup>r</sup> and Company of the Massachusetts Bay in New England: 1685.

To all to whom these presents shall come send greeting. Know yee, that in pursuance of an order or grant of the said Governo<sup>r</sup> & Company, at a Generall Court, held at Boston, the      day of      , and of a further order or grant of the said Governo<sup>r</sup> & Company, at a Generall Court, by adjournment from the 28<sup>th</sup> of January to the 18<sup>th</sup> day of March, 1684, and from thence to the 6<sup>th</sup> of May, 1685, as an explanation of the law, title Conueyances, Deeds, & Writings, and as an addition therevnto, the Go<sup>v</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England aforesajd haue given & granted, and confirmed, and by these presents for them, & their successo<sup>r</sup>s for euer, doe give, grant, & confirme vnto A B, of (      ), his heires and assignes, (here insert the lands, with all the certainty that may be,) to haue & to hold all and singular the said lands & premisses, with their & euery of their rights, priuiledges, jurisdictions, hereditaments, \*and appurtenances, and the reuertion & reuer<sup>c</sup>ions, remainder and remainders thereof, and of euery parte & parcel thereof, vnto and to the only vse & behooffe of him, the said A B, his heires and assignes for euer. In witness whereof, the said Gouverno<sup>r</sup> & Company haue caused the seale of the corporation to be affixed to these presents, the      day of      , in the yeare of our Lord one thousand sixe hundred eighty five. The hand of the Governo<sup>r</sup> for the tyme being to be herevnto subscribed.

6 May.

[\*475.]

Whereas the word (such) in the third l<sup>i</sup>ne of the second paragraph of the law made at an adjournment of the Generall Court, held March 18<sup>th</sup>, 1684, relating to the explanation of the law, title Conueyances, Deeds, and Writings, being found redundant, and that which may darken the true intent and meaning of the law, it is therefore ordered, that that word (such) mentioned in that parragraph shallbe and is hereby expunged out of all coppies, and the law without that word to be of full force.

The word (such) to be expunged out of the law, &c.

It is ordered, that John Richards, Samuel Nowell, & Elisha Cooke, Esq<sup>s</sup>, with M<sup>r</sup> Olliuer Purchase, M<sup>r</sup> John Saffyn, Captaine John Smith, Cap<sup>t</sup> Richard Sprague, and M<sup>r</sup> Henry Bartholmew, shall and heereby are appointed a co<sup>m</sup>ittee to revise the lawes, and especially such as haue binn made since the last co<sup>m</sup>ittee had the p<sup>e</sup>rvsall and revisall of the body of them, and to make a returne to the next Court of Election.

Co<sup>m</sup>ittee to p<sup>e</sup>rvse & revise the lawes.

This day the Go<sup>v</sup>no<sup>r</sup> & Magis<sup>ts</sup> sent in for the Deputjes, who, being come in, the Gouverno<sup>r</sup> acquainted the whole Court w<sup>th</sup> his receipt of a letter from that hono<sup>r</sup>ble & worthy gen<sup>tn</sup>, Esq<sup>W</sup> Blaithwayt, in which came printed copies of the proclamations made in London on the 6<sup>th</sup> of February

i. e., 7<sup>th</sup> May, 1685.

1685.

7 May.

[\*476.]

20 April, 1685.  
The high &  
mighty prince,  
James the 2<sup>d</sup>,  
proclajmed in  
Boston, 20 Ap<sup>l</sup>,  
85, in y<sup>e</sup> same  
words, mutatis  
mutandis, of  
the proclama-  
tions in  
Engl<sup>d</sup>.

last, (presently after the knoune death of our late soueraigne lord King Charles the Second,) at White Hall, Temple Barr, & the Royall Exchange, of the high \*and mighty Prince James the Second (by the grace of God) to be king of England, Scotland, France, & Ireland, and of all other his late majtjes territorjes & dominions in Amerrica, &c, and also comūnicated to the Court then mett his majtjes gracious speech to the lords of his council, w<sup>th</sup> his gracious proclamation, in stating all officers in statu quo, w<sup>th</sup> other copies of letters from the lords comīssioners to forreigne plantations to the seuerall goūno<sup>r</sup>s in Amerrica, for the end to proclayme his majty James the Second, &c, all w<sup>th</sup> letters, &c, w<sup>th</sup> our Goūno<sup>r</sup> letter of ans<sup>r</sup> to the sajd W<sup>m</sup> Blajthwajt, Esq<sup>r</sup>, is lodged w<sup>th</sup> the Gouverno<sup>r</sup>, declaring, that as a buisnes of that moment & high concernement the Goūno<sup>r</sup> & council had ordered his majty w<sup>th</sup> all due solemnity to be proclajmed in the high street in Boston, w<sup>ch</sup> was donn on 20<sup>th</sup> of Aprill last, the hono<sup>r</sup>ble Goūno<sup>r</sup>, Dep<sup>t</sup> Goūno<sup>r</sup>, & Assistants, on horsback, w<sup>th</sup> thousands of people, a troope of horse, eight foote companys, drums beating, trumpets sounding, his majty was proclaymed by Edward Rawson, secre<sup>t</sup>, on horsback, & Jn<sup>o</sup> Greene, marshall gene'll, taking it from him, to the great joy & loud aclamations of the people, and a seuenty peec of ordinanc next after the volleys of horse & foote. \* \*

God saue the king, &c.

Ans<sup>r</sup> to the pe-  
titiō, of M<sup>r</sup> Jn<sup>o</sup>  
than Corwin.

In ans<sup>r</sup> to the petition of M<sup>r</sup> Jonathan Corwin, administrato<sup>r</sup> to the estate of the late Capt<sup>n</sup> George Corwin, the Court judgeth it not meete to grant the first part of his petition, the County Court being so neare, but doe impower the petitioner, if he cannot pay the lands to the legatees to mutuall satisfactiō, that then he hath liberty to sell the lands & houses, with the consent of the major part of the magis<sup>ts</sup> of the county of Essex.

8 May, 85.  
Jn<sup>o</sup> Marshalls  
allowanc for  
extraordi. ser-  
vice, 3<sup>d</sup> 10<sup>s</sup>.

It is ordered, that John Marshall be pajd three pounds tenn shillings in rate pay by the Treasurer of the country, for his extraordinary attendance of the Gennerall Court.

*\*By the Gounor & Company of the Massachusetts Bay in New England, at a Generall Court for Elections, held at Boston, 27<sup>th</sup> of May, 1685.*

1685.

27 May.

[\*477.]

**S**YMON BRADSTREET, Esq̃, was chosen Goūnor for y<sup>e</sup> yeare ensuing, & tooke his oath.

Thomas Danforth, Esq̃, was in like manner chosen Dep<sup>t</sup> Goūnr, & took his oath.

Daniel Gookin, Señ, Esq̃,	} was chosen, & maj <sup>r</sup> geñll, & tooke y <sup>t</sup> oath
John Pynchon, Señ, Esq̃,	
W <sup>m</sup> Stoughton, Esq̃,	} & 1 <sup>st</sup> Cõmission <sup>r</sup> .
Joseph Dudley, Esq̃,	
Nathaniel Saltonstall, Esq̃,	} & 2 <sup>d</sup> Cõmissioner.
Humphry Davy, Esq̃,	
John Richards, Esq̃,	} Assistants, & took their seūll oathes, M <sup>r</sup>
Samuel Nowell, Esq̃,	
James Russell, Esq̃, & Treas-	} declined his oath.
Peter Tylton, Esq̃, [urer,	
Samuel Appleton, Esq̃,	
Robert Pyke, Esq̃,	
Elisha Cooke, Esq̃,	
W <sup>m</sup> Johnson, Esq̃,	
John Hathorne, Esq̃,	
Elisha Hutchinson, Esq̃,	
Samuel Seawall, Esq̃,	
M <sup>r</sup> Olliuer Purchis, who	

Edward Rawson was chosen alike Secretary, & tooke his oath.

The names of the deputjes returned to serve at this Court were, —

Salem: M<sup>r</sup> Edmund Batter, M<sup>r</sup> John Ruck.

Roxbury: M<sup>r</sup> Edw<sup>d</sup> Morrice.

Ipsuich: Lef<sup>t</sup> Thō Burnham, M<sup>r</sup> Symon Stacy.

Concord: M<sup>r</sup> Henry Woody, S<sup>r</sup>.

Wooborne: Ensig<sup>e</sup> James Converse.

Hadley: M<sup>r</sup> Sañill Partrigg.

Charls Toune: Cap<sup>t</sup> Rich Sprague, Lef<sup>t</sup> Jn<sup>o</sup> Phillips.

Cambridge: Lef<sup>t</sup> Edw<sup>d</sup> Winshipp.



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Newbry: Richd Bartlett.  
 Dedham: Lef<sup>t</sup> Nath Sternes.  
 Hauerill: M<sup>r</sup> Peter Heires.  
 Gloucester: M<sup>r</sup> W<sup>m</sup> Hascall.  
 Dorchester: M<sup>r</sup> W<sup>m</sup> Sumner.  
 Lynn: M<sup>r</sup> Olliuer Purchis.  
 Weymouth: Cap<sup>t</sup> Jn<sup>o</sup> Holbrook.  
 Rowley: M<sup>r</sup> Jn<sup>o</sup> Peirson.  
 Maulden: M<sup>r</sup> Job Lanc.  
 Reading: Cap<sup>t</sup> Jerr<sup>e</sup> Swayne.  
 Boston: M<sup>r</sup> Jn<sup>o</sup> Saffyn, M<sup>r</sup> Isacke Addington, Cap<sup>t</sup> Timothy Prout.  
 Hingham: Cap<sup>t</sup> Jn<sup>o</sup> Smith.  
 Brayntry: M<sup>r</sup> Sa<sup>m</sup> Tompson.  
 Northampton: M<sup>r</sup> Joseph Hawley.  
 Beſly: Cap<sup>t</sup> W<sup>m</sup> Raymond.

M<sup>r</sup> Isack Addington was chosen Speaker for this session.

[\*478.]

Order for y<sup>e</sup>  
 co<sup>m</sup>itte<sup>e</sup> to  
 make theire re-  
 turne as to re-  
 vising y<sup>e</sup> lawes.  
 Y<sup>e</sup> co<sup>m</sup>ittees  
 returne.

\*Itt is ordered, that the co<sup>m</sup>itte<sup>e</sup> appointed at the last sessions of Generall Court, so called vpon to make theire report to the Court of their revising the laues, especially those more lately made, in order to their consideration at this Court, and that the worke of revising the whole booke of lawes passing, and preparing them for the presse, be forthwith attended & sett about.

In obedience to the order of the honord Generall Court, dat<sup>d</sup> 6<sup>th</sup> instant, impowring vs a co<sup>m</sup>itte<sup>e</sup> to revize the lawes, especially those lately made, &c, wee accordingly haue mett, & p<sup>e</sup>rvsed the sd lawes, & transferred them to theire proper heads in the fformer transcript, where they will be found, some times wholly in their oune words, sometimes in such necessary parts as was intended for alteration or explanation, which are either printed in sajd transcript in sheets, printed or written as there was occasion, to w<sup>ch</sup> wee referr, reserving only the liberty of inserting the preffaces where reason may require.

JOHN RICHARDS,  
 SAMUEL NOWELL,  
 ELISHA COOKE,  
 JN<sup>o</sup> SAFFYN,  
 RICH<sup>d</sup> SPRAGUE.

Law, title Im-  
 posts on wine.  
 &c.

It is ordered by this Court & the authority thereof, that the lawes, title Impost, and Impost on Wines and Strong Liquo<sup>r</sup>s, with the explana-

tions and additions made therevnto, shallbe & remajne in full force from the 10<sup>th</sup> day of June, 1685, vntill the tenth day of June next ensuing, we<sup>ch</sup> will be in the yeare one thousand sixe hundred eighty & sixe.

1685.

27 May.

Peter Freeman, Indean of Narraganset, hauing binn a guide to the English army for the colonjes vnder the comānd of the late Generall Winslow, hauing donn good service to the country, & whiles his doing that service his daughter was taken & made a slaue, the Court judgeth it meete to order the Treasurer of the country to give him two English coates, two paire of stockings, & two pajre of shooes, (one for himselfe & one for his wife,) a white shirt, & fiue shillings in money to carry him home, hauing spent much time, both now & formerly, to obteyne his recompence; and its left to the major generall to informe himselfe where his sajd daughter is in captiuitie, & with whome, & to endeavo<sup>r</sup> hir reprisall and freedome, that she may returne to hir ffather; & orderd, the secretary to write to Cap<sup>t</sup> Prentice to take order accordingly, & make returne what he doth and cann doe in that respect.

Order & recompence to Peter Freeman, y<sup>e</sup> armys guide, & his daughters release.

\*Whereas it is found by experience, that, in many cases and controuersies betwixt partjes wherein there is matter of apparent æquity, there hath been no way provided for releife against the rigour of the comōn law but by application to the Generall Court, where, by reason of the weighty affajres of the country of more publick concernment, particular persons haue been delayed, to their no smale trouble and charge, as also great expence occasioned to the publicque by the long attendance of so many persons as that Court consists of, to heare & determine personall causes brought before them, —

[\*479.]

Law as to a chancery.

For ease & redresse whereof, it is ordered and enacted by this Court, that the magistrates of each County Court within this jurisdiction, being annually chosen by the freemen, be and heereby are authorized and impowred, as a Court of Chancery, vpon bill of complaint or information exhibbited to them conteyning matter of apparent æquity, to grant su<sup>m</sup>ons or processe as in other cases is vsuall, breiffly specifying the matter of complaint, to require the defendants appearance at a day and place assigned by the Court, to make answer therevnto, and also to grant su<sup>m</sup>ons for wittnesses in behalfe of either party, to examine partjes and wittnesses by interrogatorjes, vpon oath, proper to the case, if the judges see cause to require it; and if any party, being legally su<sup>m</sup>oned, shall refuse or neglect to make his appearance or answer the case, shall proceed to hearing and issue, as is provided in cases at comōn lawe; and vpon a full hearing and consideration of what shall be pleaded & presented as euidence in any such case, the Court to make their decree and determination according to the rule of æquity, Secundum æqūm et bonum, and to grant execution thereon; provided alwayes, that either party, p<sup>t</sup> or deffend<sup>t</sup>, who shall

1685.

27 May.

Who judges, &  
how to be de-  
termined.

[\*480.]

find himself agreived at the determination of the sd County Court, shall haue liberty to make his appeale to the magistrates of the next Court of Assistants, giving in security for prosecution, and the reasons of his appeale, to the officer of said County Court, as the law provides in other cases, where the judges of the former Court may haue liberty to alleadge & shew the grounds & reasons of their determination, but shall not judge nor vote in the said Court of Assistants; and the judgment or decree of the said Court of Assistants shall be a full & fynall issue & determination of all \*such cases, w<sup>th</sup>out any after re-vejw or appeale, vnless, vpon aplication made by either party to the Generall Court, the said Court shall see meet to order a second hearing of the case at the County Court, with liberty of appeale, as aforesajd, or in any arduous and difficult cases, to admitt a hearing and determination by the Generall Court; and that a suiteable oath be draune vp and agreed vpon to be administred to those who shall be judges in such cases; and in all cases of y<sup>e</sup> nature brought to the County Court, y<sup>e</sup> party complayning, before his bill be filed & process granted, shall give sufficient security to the clerke of the Court to defray the necessary charges & attendance of the Court.

Addition to y<sup>e</sup>  
lawes, title Im-  
posts, &c.M<sup>r</sup>s duty to  
enter all wines,  
&c, w<sup>th</sup> y<sup>e</sup> na-  
uall officer, &c,  
on penalty.Liberty of post  
entry, in case.Each County  
Courts power  
as to probats of  
wills, &c.

[\*481.]

As an addition to the lawes, title Imposts, it is ordered by this Court and the authority thereof, that all masters of shippes or other vessells that shall bring into our harbours any wines or strong waters, the said masters shall, before they breake bulke, give a true & just account, vnder his hand, vnto the navall officers, of the quantity & sorts of caske he hath on board, with the markes and numbers of the same, and the persons names to whom it is consigned or doth belong, vpon forfeiture of paying the full duty appointed by law if any be found which the said master gaue not account of, and that the owners or receivers of such wines or liquors doe, before it be landed, make a true returne with the officers of the full quantity, vpon forfeiture of what shall be found more then by them entred, or the value thereof, and that the ouno<sup>r</sup>s, or who such wines or liquors are consigned too, doe pay doune or give vnder their hands to the officer for the payment of the dutjes in some convenient time; provided this binds the master no further then to enter all such goods for which he hath signed bills of lading, and if any more appeare to be on board taken w<sup>th</sup>out the masters knowledge, he shall haue liberty of a post entry.

As an addition to y<sup>e</sup> law, title Wills, it is ordered by this Court & the authority thereof, that the magistrates of each County Court in this jurisdiction, being annually chosen by the freemen, shall haue full power & authority (as the ordinary in England) to sumons any executo<sup>r</sup> or execcuto<sup>r</sup>s appointed to the will of any deceased person, who hath declared \*his acceptance of that

trust by offering said will for probate, or otherwajes requiring him, her, or them to make & exhibbit vnto the Court, vpon oath, a just and true inventory of all the knoune lands, tennements, goods, & chattells of the deceased; and in case such execcuto<sup>r</sup> shall neglect or refuse so to doe, said Court may proceed against such person or persons by imposing of fine or fines vpon them not exceeding tenn pounds money p moneth for euery moneths default. After the expiration of the time already l<sup>i</sup>mitted by law for bringing in of inventories, and once w<sup>th</sup>in twelve moneths or oftner, if the said Court see meet, they may call such execcuto<sup>r</sup> or execcuto<sup>r</sup>s to render an account of his or their administration.

And it is further ordered, that said Court shall haue power to receive any information or complaint from any legatee against any execcuto<sup>r</sup> for the deteyning of any legaty or legatjes given by the testato<sup>r</sup>, and to grant sumons or process, as is vsuall in other cases, for the appearance of such execcuto<sup>r</sup> or execcuto<sup>r</sup>s at day & place assigned by said Court, & vpon neglect or refusall to appeare accordingly, to impose a fine of fiue pounds on the party or partjes so refusing, and to proceed to a hearing of the complaint, and to make their decree and determination thereon, & to grant forth execution for the fullfilling thereof; likewise to heare & determine all cases relating to wills and administrations, and to make their decrees, and to grant executions therevpon, allowing to the party greived liberty of appeale to the magistrates of the next Court of Assistants, such party attending the law, as in other cases, respecting appeales. The Court went on, day by day, to revise & pervse the transcripts of the lawes.

For greater expedition in the present revisall of the lawes, this Court doth order, that they shall be sent to the presse sheet by sheet, & that the Treasurer make payment to the printer for the same paper & worke, June 10<sup>th</sup>, 1685, and y<sup>t</sup> Elisha Cook & Samuel Seawall, Esq<sup>s</sup>, be desired to ousee y<sup>e</sup> presse about that worke.

Courts pcedure  
in revising the  
lawes.

\*In ans<sup>r</sup> to a motion made by the ouerseer of the colledge, this Court doth order, that the hundred pounds, part of the annuall sallary due to the præsident, be pajd to the corporation for the incouragement of such as haue downn the worke that apperteyn<sup>s</sup> to the præsident, & discharge of some other accounts that haue been made for y<sup>e</sup> colledg benefitt.

[\*482.]  
100<sup>ll</sup> p<sup>t</sup> of y<sup>e</sup>  
p<sup>r</sup>esed<sup>te</sup> sallary,  
how disposed  
of, &c.

In answer to the petition of M<sup>rs</sup> Mary Symonds, relict of the late M<sup>r</sup> Willjam Symōds, the Court judgeth it meet to grant the petitioner liberty to sell such lands as she mentions in hir petition, that is, hir late husbands p<sup>t</sup>icular land, the County Court of Essex consenting thereto.

Ans<sup>r</sup> to Mary  
Symonds peti-  
tion.

In ans<sup>r</sup> to the petition of Abraham Reddington, Joseph Bexby, Samuel

Rowley villa-  
gers, how to be  
exercisd as  
to y<sup>e</sup> souldiery.

1685.

27 May.



1685. Buswell, Señ, & W<sup>m</sup> Foster, in the name of the inhabitants of Rouley Village, it is ordered, that the order of 1684 be null & voyd, & that the villagers be excercised by such officers as the major<sup>r</sup> generall shall appoint, till farther order.

27 May.

The Courts inclination to Rowley Village, in case.

In ans<sup>r</sup> to the petition of Abraham Reddington, Joseph Bixbee, Samuel Buswell, W<sup>m</sup> Foster, & John Peabody, in the behalf of the inhabitants of Rowley Village, the Court inclines to grant their request, provided it may be with the consent of the selectmen of Rowley.

Whereas the honnoured Court some yeares since were pleased to choose & impower a comittee to end a difference about a controuerted peece of land in Water Toune, which is not yet determined, your petitioner doth hereby humbly intreat, that the hono<sup>r</sup>ed gent<sup>n</sup> before chosen may be continued & encouraged to put a finall issue to that affaire.

Your humble servant,

JOHN SHERMAN.

Comittee to issue Mr Sher-  
mans case, &c.  
Vide pa. 494.

The Court judgeth it meet to consent to this motion, & doe accordingly order, that W<sup>m</sup> Stoughton, Joseph Dudley, Peter Bulkley, & John Richards, Esq<sup>r</sup>, with W<sup>m</sup> Johnson, Esq<sup>r</sup>, Mr Edward Winship, Cap<sup>t</sup> Sprague, & Cap<sup>t</sup> Holdbrooke, in y<sup>e</sup> roome of Cap<sup>t</sup> Wayte, & also in y<sup>e</sup> roome of Cap<sup>t</sup> Thomas Bratle, deceased, shall & heereby are impowred to act in that affajre, and that they doe forthwith make a full settlement in such wise as shall to them appeare to be just & æquall on all considerations; and doe further order, that what they shall doe herein shallbe a finall issue and end to the controuersy.

[\*483.]

Ans<sup>r</sup> to Benj.  
Bosworths pe-  
tiçon, 20 acr<sup>s</sup>  
grted.

Emendation  
of Northamp-  
ton bounds,  
omitted Octo-  
ber, 1654, as to  
3 miles now  
added, &c.

\*In answer to the petition of Benjamin Bosworth, the Court judgeth it meet to grant the petitioner twenty acres of land in any ffree place, so as it exceeds not tenne acres, p<sup>t</sup> thereof to be in meadow.

Forasmuch as it hath binn made manifest to this Court that there is a mistake or omission in the report of the comittee appointed by this Court, 18<sup>th</sup> of October, 1654, for dividing & setting out the bounds of the plantation now called Northampton, of incerting the length of the sajd plantation from the great riuer, west, nine miles into the woods, which they then sett out, and was incerted in the copy of their sajd report, given, vnder their hands, to the sajd toune, as also to the plantation or toune of Springfield, their neighbours, and is so entred in their respective toune bookes, it is therefore ordered, that the sajd clause, 'From the great riuer, west, nine miles into the woods,' be added vnto & supplied in the record of this Court of the bounds of sajd toune of Northampton.

Wee, whose names are vnder written, being a cōmittee appointed and impowred by the toune of Northampton for the setling of the bounds betweene vs & Springfeild, and in order therevnto, wee, by agreement with Springfeild cōmittee, who were alike impowred, viz<sup>t</sup>, Majo<sup>r</sup> John Pynchon, Samuel Marshfeild, Rowland Thomas, and Samuel Torrey, wee mett together by agreement, on the day aboue mentioned; then and there wee agreed, that the bounds betweene vs & Springfeild should come too & be setled at the great barr of the ffalls, — that is, about the first great barr, — next to Northampton, where wee marked a pyne tree, about forty rods from the ryuer, on the south side with S P, on the north N H, on the east A, on the west with the surveyo<sup>r</sup>s marke, O; ffrom that tree wee agred to runn a west l<sup>j</sup>ne, which accordingly was donne, two miles and a halfe, and then by agreement wee runn a south l<sup>j</sup>ne halfe a mile, marking trees as wee went; from thence the bounds of Northampton was to runne a west l<sup>j</sup>ne to the end of their bound, viz<sup>t</sup>, nine miles \*from the riuer; wee also then agreed that Northampton should haue liberty of fishing at the lower great fall, in Springfeild bounds, without any molestation from Springfeild men; and also to haue liberty of what highwayes as they may stand in need of for transportation to the boating place below the ffalls, for what they shall haue occasion to make use of for; and to this agreement wee joyntly consented. Our request to the honored Generall Court is, that this our agreement may be rattified. And was signed by

JOHN KING,  
JONATHAN HUNTE,  
DAUID BURTE,  
MEDAD POMRY,  
Com̄ittee for Northampton.

Endorst.

I, vnder written, doe certify that the cōmittee for Springfeild did consent and agree to the retorne w<sup>th</sup>in written, allowing the priuiledges, on the part of Northampton.

JOHN PYNCHON.

4 June, 1685.

Vpon the certificate aboue written, the Court judgeth it meet to confirme the lands & bounds as lajd out and returned herein mentioned.

As attests

EDW<sup>d</sup> RAWSON, Secret<sup>y</sup>.

1685.

4 June.  
An agreem<sup>nt</sup>  
made 28 Aprill,  
1685, as to  
Northampton  
& Sprinkfull  
bounds, &  
agreement.

[\*484.]

1685.

4 June.

Ans<sup>r</sup> to Left  
W<sup>m</sup> Clarke's  
peti<sup>o</sup>n &  
bounds of  
Squakeage.

In answer to the petition of Left W<sup>m</sup> Clarke, of Northampton, in behalfe of those that are preparing to resettle the village at Squakeage, being desired to informe this honnoured Court who they were that lajd out the said village, i. e., W<sup>m</sup> Clarke, W<sup>m</sup> Ales, Isaack Graues, and the bounds of it, the said W<sup>m</sup> Ales & Isaack Graues being dead, & said Clarke only remayning, who hauing formerly & of late spent much time about laying out and resettling the place againe: the abouesajd co<sup>m</sup>ittee, being at Squakeage w<sup>th</sup> two of the inhabitants, wee appointed & ordered a litle brooke, called Natanis, on the west side of the great ryuer, that runns into the great riuer, and appointed it to runne west three quarters of a mile from the great riuer, on the east side of the riuer, to the lower end of the three litle meadowes that are below the toune plot, and so to runn vp the riuer eight miles, the toune plott necessarily falling so low in this tract of land by reason of no convenient place higher; and now, being streightned for roome at the eastely end, the inhabitants that now intend to resettle the place againe doe earnestly desier and intreat this honnoured Court, if yow see meet, to lett the plantation \*extend about two miles and a halfe lower, vnto a litle stony brooke, which is called Fower Miles Brooke, and that yow would grant it them; it would greatly encourage those that are to settle there, there being neere about forty familjes preparing to settle there w<sup>th</sup>in a litle time. There is no intervale nor meadow land in this tract of land that I mooue for them, but because it lyes neere the toune, and maybe vsefull for wood, & other wayes, and also incourage more inhabitants; but if yow doe not see meete to grant their request, w<sup>ch</sup> they so earnestly desire, yet that yow would be pleased to exchange, that is to say, to leaue out so much on the same side that is on the east side the great riuer at the vpper end, and so to extend vnto the litle stony brooke before mentioned. The Court grants this request as to the extent of the bounds of the said toune.

Ans<sup>r</sup> to M<sup>r</sup>  
Pinchon, M<sup>r</sup>  
Auery, & M<sup>r</sup>  
Hez. Vshers  
peti<sup>o</sup>n, as to  
a mine & 1000  
acr<sup>s</sup> of land,  
&c.

In ans<sup>r</sup> to the peti<sup>o</sup>n of Majo<sup>r</sup> Jn<sup>o</sup> Pynchon, M<sup>r</sup> W<sup>m</sup> Auery, & M<sup>r</sup> Hezekiah Usher, humbly crauing the favo<sup>r</sup> of this Court that, hauing binn at much paines & costs in searching for to finde out mettalls, & hauing found a hill, nere to Millers Riuer, aboue Dearefeild, & nere y<sup>e</sup> great riuer, in w<sup>ch</sup> are stones, encouraging, as by some smale tryalls, & being willing to be at further cost to improove it, & considering there will be need of some land for the inhabitants y<sup>t</sup> improove it, to grant them one thousand acres of land nere to y<sup>e</sup> place where they can finde it, the Court judgeth it meet to grant their request, prouided the land granted be taken vp w<sup>th</sup>in two miles of the hill aboue mentioned, on the east side of Connecticot Riuer, & be improoved by settling some inhabitants thereon w<sup>th</sup>in the space of twelue yeares next coming for the ends proposed.

In ans<sup>r</sup> to the petition of Ellino<sup>r</sup> Redding, the Court, considering & judging it of absolut necessity that releife be afforded the petiçõner, do therefore order y<sup>e</sup> selectmen of Boston to make provision for her, & y<sup>e</sup> y<sup>e</sup> Treasurer of y<sup>e</sup> country doe make repayment to them of their disbursment, provided it exceed not two shillings sixepence p week, on the countrys charge, in corne at country prize.

1685.

4 June.

Ans<sup>r</sup> to Elinor Reddings petiçõn, 2<sup>s</sup> 6 p<sup>r</sup> week allowed hir in country pay.

In ans<sup>r</sup> to the petition of Ann Sheffield, aljas Perry, widdow, the Court, being fully informed of the state of the petiçõner & this case, doe grant hir petiçõn, provided she haue the consent of the County Court of Suffolke for y<sup>e</sup> sale of the house & land therein mentioned.

Ans<sup>r</sup> to Ann Sheffield, aljas Perrys, petiçõ.

In ans<sup>r</sup> to a motion made in behalfe of the toune of Newbery by Mr Rich<sup>d</sup> Bartlet, Mr John Woodbridge is hereby appointed & authorized to administer oathe, & joyne persons in marriage there who shall desier it, being published according to lawe.

Mr John Woodbridge to administer oaths & to marry, &c.

\*In ans<sup>r</sup> to the foot company of Mauldens petiçõn, the Court doe hereby appoint Leif<sup>t</sup> Jn<sup>o</sup> Sprague to be captaine, & grants liberty to Sarj<sup>t</sup> Samuel Sprague to officiate as leiftenñt, & Joseph Wilson to officiate as ensigne vnder him, sajd capt<sup>t</sup>, in order to their establishment & being comissioned.

[\*486.]

Ans<sup>r</sup> to Maulden foot companys pet., Capt Jn<sup>o</sup> Sprague, Sam. Sprague, & Joseph Wilson.

Jn<sup>o</sup> Trumble is appointed ensigne to the ffoote company at Rouley. On a motion made in behalfe of Mr Archelaus Woodman, leftenñ, to be discharged, the Court grants his request, & doe appoint Ensigne Stephen Greenleaf to be leftenñt in his roome, & Nathaniel Clarke to be enisigne to y<sup>e</sup> foot company vnder y<sup>e</sup> conduct of Daniel Peirse, capt<sup>n</sup>.

Jn<sup>o</sup> Trumble ensigne. Stephen Greenleaf lef<sup>t</sup>, Nath. Clark ensig.

In ans<sup>r</sup> to the petiçõn of Mr John Cotton, in behalf of M<sup>rs</sup> Joan Hart, youngest surviving child of the late Mr Edward Rossiter, one of the adventurers, &c, the Court judgeth it meet to grant the petiçõner fue hundred acres of land, to be taken vp so as not to interfere w<sup>th</sup> any former grants, or to spoyle any suiteable tract for a touneship; & this to be in full of all right or clajme any of the heires of s<sup>d</sup> Mr Edward Rossiter might make from the country.

Ans<sup>r</sup> to Mr John Cottons petiçõn relating to Mr Edw. Rossiters right.

In ans<sup>r</sup> to the petition of Mr Joseph Hauley, in behalf of the children & heires of the late Mr Dauid Wilton, deceased, the Court judgeth it meet to give liberty to the petiçõners to take vp y<sup>e</sup> sajd hundred acres of land in any free place in this jurisdiction, provided it hinder not a plantation, & be free from former grants.

Ans<sup>r</sup> to Mr Jos. Hawleys petiçõn in behalf of y<sup>e</sup> children & heires of y<sup>e</sup> late Dauid Wilton.

In ans<sup>r</sup> to the petitions of Springfeild & Suffeild, being much of one tenno<sup>r</sup>, the Court, hauing read & considered the contents thereof, doe judge that sundry expressions therein doe deserue sharpe reprooffe; neuerthelesse,

Ans<sup>r</sup> to Springfeild & Suffeild petiçõn as to y<sup>e</sup>ir paying y<sup>e</sup>ir rates, &c.



1685.

4 June.

considering the difficulty of procuring money in those places, doe order, that the inhabitants of the sajd townes of Springfeild & Suffeild shall not be compelled to pay money, provided that, in leiw of their proportions to money rates, they doe pay their rates in good merchantable corne, at one third part lesse price then is set in the country rate, and deliuer the same to the Treasurer, at Boston, at their oune charge, casualties of seas excepted; and this order to continew vntill the Gennerall Court take further order herein.

[\*487.]

Ans<sup>r</sup> to Jerre  
Bumsteeds  
petiçon, 200  
ac<sup>s</sup> g<sup>ed</sup> & a  
licence for  
inkeeping in  
case.

\*In ans<sup>r</sup> to the petiçon of Jerremiah Bumstead, a wounded souldier, the Court judgeth it meet to grant the petiçoner two hundred acres of land where he cann finde it free of other grants, &c, as satisfaction for his losses, and also allows him a licence to sell ale, beere, & cidar in Boston, and to be added to the number already allowed, so as the petitioner obteyne the approbation of the selectmen of Boston to keepe an ordinary.

16<sup>th</sup> July nex  
a fast.

This Court, hauing taken into their serious consideration that in respect of afflictive sicknesses in many places, and some threatnings of scarcity as to our necessary food, and vpon other accounts also, wee are vnder solemne frounes of the diuine Prouidence, being likewise sensible that the people of God in other parts of the world are in a lowe estate, doe therefore appoint the 16<sup>th</sup> day of July next to be sett apart as a day of publicke humilliation, by fasting and prayer, throughout this colony, exhorting all who are the Lords remembrancers to give him no rest till he establish and till he make Jærusalem a prayse in the earth, and doe heereby prohibit the inhabitants of this jurisdiction all servile labour on that day.

Co<sup>m</sup>ittee to  
take in y<sup>e</sup>  
Tres<sup>rs</sup> ac-  
counts, Major  
Jn<sup>r</sup> Richards,  
M<sup>r</sup> Cooke, M<sup>r</sup>  
Saffyn, &c.  
Co<sup>m</sup>ittee to  
agree w<sup>th</sup> y<sup>e</sup> in-  
keepers as to  
y<sup>r</sup> licenses.

It is ordered, that Major John Richards, Elisha Cooke, Esq<sup>rs</sup>, w<sup>th</sup> M<sup>r</sup> John Saffyn, Cap<sup>t</sup> Richard Sprague, & M<sup>r</sup> Edward Morris be a co<sup>m</sup>ittee to take in the Treasurers accompts for the yeare 1684, and give the Treasurer a full discharge therevpon, with the seale of the colony affixed therevnto.

It is ordered, that Major John Richards, Samuel Nowell, w<sup>th</sup> James Russell, Esq<sup>rs</sup>, be a co<sup>m</sup>ittee to agree w<sup>th</sup> the inkeepers about their licenses for y<sup>e</sup> yeare ensuing.

Co<sup>m</sup>ittee to  
olsee the  
presse.

For greater expedition in the present revisall of the lawes, this Court doeth order, that they shall be sent to the presse sheete by sheete, and that the Treasurer make payment to the printer for the same, paper & worke, and that Elisha Cooke and Samuel Seawall, Esq<sup>rs</sup>, be desired to ouersee the presse about that worke.

Awasamoag  
sale of land  
confirmd to  
Edward Raw-  
son, &c.

In answer to the humble motion & request of Edward Rawson, who, having purchased a smale tract of land, vpland & meadow, of Thomas Awasamoage, son & heire of the late sagamore John Awasamoage, & by him

reserved, & is invironed w<sup>th</sup> the bounds of Dedham, Meadfeild, Mendon, & Sherborne, as in sajð Awassamoag<sup>s</sup> sale, the Court grants this petiçôn, and doe grant & confirme the sajð tract of land to the sajð Mr Edward Rawson, his heires & assignes, allowing the sale of the sajð Thomas Awassamoage, it not interfering w<sup>th</sup> any former grants.

1685.

4 June.

In ans<sup>r</sup> to the petiçôn of Samuel Reed, a wounded souldjer, the Court judgeth it meet to order the Treasurer to pay y<sup>e</sup> petiçônner forty shillings in country pay for this yeare, & that the petiçônner henceforth be freed from rates, traynings, and watchings till this Court take further order.

Sam. Reed, a  
wounded soul-  
djer, releif, &c.

\*In answer to the petition of Mary Salter, widdow, & execcutrix of the last will & testament of Willjam Salter, deceased, praying the renewall of an execution formerly granted to the sajð W<sup>m</sup> Salter vpon the judgment of the Generall Court in October, 1667, to the value of twenty one pounds eight shillings and sixpence, ag<sup>t</sup> Mr Jn<sup>o</sup> Woodmansey, since deceased, which execution is returned, and no record of any thing don therevpon, nor any plea or prooffe made by the deffendant (who was admitted to be heard) that any part thereof is satisfied, it is judged by the Court that in such cases the law doth allow of a renewall of execution, and that the execution aboue specified ought accordingly to be renewed for the same sume & specie as the former against the estate of sajð John Woodmansey in the hands of Elisabeth, his widow & execcutrixe.

[\*488.]

Case betweene  
widdow Salter  
& widdow Wood-  
mansy.

In ans<sup>r</sup> to the petiçôn of Thomas Woolson, the Court judgeth it meete to grant the petitioner the land mentioned in the petition, & bounded so as it exceed not three hundred acres, w<sup>ch</sup> land begins by a branch of Sudbury Riuer at a maple tree, runing w<sup>th</sup> Marlborow southerly lyne, & so on, in sd petition.

Tho. Woolsons  
farme layd out  
& confirmed.

In ans<sup>r</sup> to the petiçôn of Onesephirus Paige, it is ordered, that the fower pounds money mentioned shall be pajd him by the constable of Salisbury out of the next country rate.

4<sup>th</sup> to Oneseph-  
irus Paige, &c.

Mr W<sup>m</sup> Clarke, Cap<sup>t</sup> Aron Cooke, & Mr Samuel Partrigg, as returnd, are allowed & approved of as returnd associates for the County Courts in Hampshire for the yeare ensuing.

Hampsh. asso-  
ciats.

In ans<sup>r</sup> to the petition of Mr Edward Thomas, agent for Mr Joseph Thompson, of London, merchant, it is ordered, that the Treasurer make vp & settle the accompt of the payment of the two hundred and sixty pounds mentioned in y<sup>e</sup> petition, and for what time the whole or any part of it remayned vnpayd after the time limited p bill of exchange, to make allowance and pay vnto the petitioner after the rate of sixe p cent p annū interest for the same.

Ans<sup>r</sup> to Edw<sup>d</sup>  
Thomas peti-  
çôn.

\*It is ordered, that Mr Fiske, of Cambridg, surveyor, doe rune the lynes

[\*489.]

1685.

4 June.

Courts order as  
to Dedham &  
Naticke con-  
trovrsy ab<sup>d</sup> y<sup>e</sup>  
4000 ac<sup>rs</sup>.

& bounds betweene Dedham & Naticke of the tracts of land described by the former comitte, & to renew the markes thereof, and if in any part the bounds be vndetermined there to settle it, Dedham & the Indeans hauing liberty to send each of them one w<sup>th</sup> the comitte of this Court in that worke, the charge to be borne æqually, provided that where the bounds shall appeare to be vnsetled respect be had to the former settlement made of that matter by the Generall Court, i. e., that the Indeans may haue the fower thousand acres of land granted them, for which Dedham received satisfaction from the Court.

Ans<sup>r</sup> to Charls  
Toune inhabit<sup>ts</sup>  
peti<sup>on</sup>.

In ans<sup>r</sup> to the petition of seuerall inhabitants of Charls Toune, the Court reffers the petitioner to the comon law.

A plantation of  
8 miles square  
granted to Ma-  
jor Jn<sup>o</sup> Pynchon  
& his associ-  
ats aboue  
Squakeag on  
Conecticot  
Riuer, in case.

In answer to the motion made by Major John Pynchon, in order to prevent the incroachments of the French vpon us on Conecticot Riuer aboue Squakeag, this Court doth grant the quantity of eight miles square to Major John Pynchon & such others as he shall associate to himselfe, provided that he take possession within one yeares time, and settle tenn familjes w<sup>th</sup>in three yeares, & thirty familjes w<sup>th</sup>in six yeares next coming, setting an orthodox minister also among them, provided the land doth lye within our patent.

Courts grant &  
resolue as to  
Ensigne Jn<sup>o</sup>  
Grout, pur-  
chase of lands,  
&c.

In pursuance of the report made by Thomas Danforth, Daniel Gookin, Samuell Nowell, Esq<sup>s</sup>, w<sup>th</sup> Left Nathaniel Sternes & Deacon Jn<sup>o</sup> Haynes, a comitte, w<sup>ch</sup> is on file, it is ordered, that Ensigne John Grout haue liberty to lay out eighty acres of land, formerly by him purchased & possessed from the Indeans of Natick, on one side of the sajd tract, and that the Indeans may make sale of the remainder of that tract of land of fower hundred acres, as Major Generall Gookin & M<sup>r</sup> Elljott shall aduise & approve.

Courts confir-  
mation of 400  
ac<sup>rs</sup> of land  
lajd out to M<sup>r</sup>  
Increase Mather  
& M<sup>r</sup> Jn<sup>o</sup>  
Cotton, y<sup>e</sup> plott  
on file.

The plott of fower hundred acres of land lajd out to the Reürend M<sup>r</sup> Increase Mather & M<sup>r</sup> Jn<sup>o</sup> Cotton, being a part of a grant of the honno<sup>d</sup> Generall Court to M<sup>r</sup> John Cotton & to M<sup>r</sup> Seaborn Cotton, bearing date May 11<sup>th</sup>, 1670, the plott aboue mentioned being fower hundred rod in length, runing along Worster linc S. W. & by S. 400 rods, & one hundred & sixty rods in breadth at each end, one end joynes to M<sup>r</sup> Humphry Davy, Esq<sup>r</sup>, 160 rods, lying neere & joyning to to the touneship of Worcester, & surveyd by M<sup>r</sup> Daud Fiske, is hereby confirmed to the sajd M<sup>r</sup> Increase Mather & M<sup>r</sup> Jn<sup>o</sup> Cotton, Señ, & to their heires & assignes for euer.

[\*490.]

Ans<sup>r</sup> to y<sup>e</sup> In-  
deans & Marl-  
borough inhab-  
itants peti<sup>on</sup>.

\*Vpon pervsall of the retorne of the comitte in answer vnto the petition of the Praying Indeans & the inhabitants of Marlborough, this Court doth order & declare, the Indeans deede of sale to the inhabitants of Marlborough, of fve thousand eight hundred acres of land, lying at Whip Sufferage, neare Marlborough, granted to the Indeans by this Court for a touneship or plantation, w<sup>ch</sup> deed beareth date July 15<sup>th</sup>, 1684, is illegall, & consequently null



& voyd, being made & donne expressly contrary to the law & order of this Court. And furthermore, it is ordered, that the Indeans shall not sell, give, or lett to lease any plantation or touneship granted vnto them by this Court, or any part thereof; neither shall any English man or men, or any other person or persons of any other nation, purchase, take to lease, or receive a gift from any Indean or Indeans, any of the forementioned lands & touneships, or any part thereof, without license from the Generall Court first had, vpon pœnalty of forfeiting all such lands to the vse of the country, as the law declared; besides, all such sales, aljenations, leases, or guifts are hereby declared null & voyd in law, excepting such sales & aljenations as haue binn allowed & confirmd by this Court.

1685.

4 June.

In ans<sup>r</sup> to the petition of W<sup>m</sup> Basset, Jn<sup>o</sup> Lynsey, Robert Porter, Señ, & a twenty two more inhabitants of Ljn, Jeremiah Swayne, Sañill Damon, Sañ Lambson, W<sup>m</sup> Robbins, James Pyke, Juñ, & James Nicholls, of Reading, W<sup>m</sup> Raymond, & 5 more, of Beverly, & Samuel Lyncolne, & three more, of Hingham, as on y<sup>e</sup> petiçõn on file, the Court judgeth it meēt to grant the petiçõners a tract of land, in the Nipmug country, of eight miles square, for their encouragement & others that were serviceable to the country in the late Indean warr, to a competent number, who shall see meet to joyne themselues to them in order to the making of a plantation or touneship, provided it be lajd out so as not to interfere w<sup>th</sup> any former grants, & that an orthodox minister, on their settlement of thirty familjes, be settled w<sup>th</sup>in the space of fower yeares next coming.

Ans<sup>r</sup> to Lyn  
petiçõn.

In answer to the petiçõn of M<sup>rs</sup> Esther Flynt, of Dorchester, widdow, the Court judgeth it meet to grant the petitioner liberty to sell so much lands as may atteyne the ends proposed, provided it be donne by the aduice of W<sup>m</sup> Stoughton, Esq<sup>r</sup>, M<sup>r</sup> Edmond Quinsey, & M<sup>r</sup> John Saffyn.

Ans<sup>r</sup> to M<sup>rs</sup> Es-  
ther Flynts pe-  
tition of Dor-  
chester.

\*It is ordered, that Majo<sup>r</sup> John Richards & Elisha Cooke, Esq<sup>r</sup>s, with M<sup>r</sup> John Saffyn, Cap<sup>t</sup> Richard Sprague, & M<sup>r</sup> Edward Morris, be a co<sup>m</sup>ittee to take in the Treasurers accompts for the yeare 1684, and give the Treasurer a full dischargd therevpon, with the seale of the colony affixed there vnto, and that John Richards, Esq<sup>r</sup>, appoint time & place for meeting, to be signified to the others.

[\*491.]

Co<sup>m</sup>ittee to  
take the Treas-  
urers acco's for  
1684.

E. R., S.

Majo<sup>r</sup> John Richards, Samuell Nowell, w<sup>th</sup> the Treasurer, are appointed a co<sup>m</sup>ittee to agree w<sup>th</sup> the inkeepers for their licenses & draughts for this yeare.

Co<sup>m</sup>ittee to  
agree w<sup>th</sup> y<sup>e</sup> in-  
keepers.



1685.

4 June.  
Mr Stoughton  
& Mr Dudleys  
2900 acrs lajd  
out & con-  
firmed.

This Court doth allow of, rattefy, & confirme the platt offered to this Court by Mr John Gore, sworne surveyor, conteyning eighteen hundred acres, with allowance of addition of two hundred more next adjoyning to compleat the same to two thousand acres, which was granted vnto W<sup>m</sup> Stoughton, Esq<sup>r</sup>, & Joseph Dudley, Esq<sup>r</sup>, at the Generall Court, on adjournfitt, held at Boston, 15<sup>th</sup> of February, 1681, to be to themselues, their heires, & assignes for euer, the plat whereof is on file, the land lying in the Nipmug country, at a place called Marichouge, the ljne being marked w<sup>th</sup> rainging markes on the corners with S. D.

20 June, 85.  
Adjournment  
of this Court  
to the 7<sup>th</sup> July  
next.

It is ordered, that this Court be adjourned vntill Tuesday, the seventh of July next, at one of the clocke, vnless any matters of publicke concernment to this colony occasion their assembling before that tyme, whereof notice is forthwith to be given by the secretary to the respectiue townes for the sending their deputjes, to assemble at such time as the hono<sup>r</sup>ed Gouverno<sup>r</sup> or council shall appoint.

Black James &  
compa. 5 miles  
square land  
lajd out, &c.

This Court doth allow of, ratefy, & confirme vnto Black James & company, their heires & assignes, for euer, the two platts of lands offered to this Court by Mr John Goare, sworne surveyor, measuring the contents of five miles square, the one being at a place called Quanesusset, the other at a place called Mayanexet, which contents of five miles square was measured & granted to them & their assignes by their deed to Mr Stoughton & Mr Dudley, dated 18<sup>th</sup> May, 1682, both parcells being surveyed and marked w<sup>th</sup> runig ljnes and corner marks w<sup>th</sup> the letters of their assignes names.

[\*492.]  
7 July.

*\*The Gou<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England, assembled in Generall Court, on their adjournment to 7<sup>th</sup> July, 1685.*

Courts infor-  
macon of py-  
rates on y<sup>e</sup>  
coast, & Courts  
order therevp-  
on.

1.

THIS Court, being informed by John Prentice & others, coming from New London, of a certejne sloop at that place, whereof one Veal & one Harvey were charged by Daniel Staunton with piracy, comitted by them in Virginea, and that sajd Veale told sajd Prentice that Grayham was in their company in a shallop, & parted from them two dayes before, and that they chased sajd Prentice till he came neare Brewsters Islands, and then bore away about noone, 6<sup>th</sup> instant, doe therefore order, that a drume be forthwith beat vp for a convenient number of volunteers, not exceeding forty, for the maning of Mr Richard Pattershalls brigandeene, to be vnder such comāder as the Court shall appoint to bring them vnder comānd, who, at their returne, shall haue due satisfaction; acord<sup>t</sup> y<sup>e</sup> drume beat & proclamation fnd :

All gent<sup>l</sup>men, souldjers, or seamen who are willing to serve his maj<sup>ty</sup> in the present expedition vpon this coasts against certejne suspected pyrates in some smale vessells, endaingering our trade, lett them repajre, with sufficjent & compleate armes, to M<sup>r</sup> John Vyalls, at the Ship Taverne, where Cap<sup>t</sup> Sampson Waters will enter their names, & direct them presently to goe on board the brigandine, whereof M<sup>r</sup> Richard Pattershall is master, who shall haue all due encouragements, i. e., shall haue an æquall & just diuission in all the pyrates goods and estate taken with them; and no purchase, no pay. Boston, 8 July, 85.

p cu<sup>r</sup>.

E. R., S.

1685.

8 July.  
Proclamation  
for volunteers.

3.

The Court, being informed that men doe not readily offer themselves to the service of the country in the expedition against Veale & Grayham, the two pyrates, and considering the necessity that something be speedily done therein, judg meete to order, for their encouragement, free plunder be offered to such as shall voluntarily lyst themselves, or that a sufficjent number of men be forthwith impressed to that service.

Plunder  
tendred.  
2.

Co<sup>m</sup>ission granted to Cap<sup>t</sup> Sampson Waters, & instruc<sup>t</sup>ions & directions for his mannagement of the service, both w<sup>ch</sup> are on file.

Co<sup>m</sup>ission to  
Cap<sup>t</sup> Sampson  
Waters, w<sup>th</sup> his  
souldjers, &c.,  
to cruise, &c.

Yow are hereby required, in his maj<sup>ties</sup> name, to attend the next Court, to give your euidence in a case depending betweene <sup>^</sup>, p<sup>l</sup>t, against <sup>^</sup>, defendant, whereof yow may not faile at yo<sup>r</sup> perrill. Dated, 9<sup>c</sup>.

To be dd. vp in  
a móth, as on  
y<sup>e</sup> originall.

Su<sup>m</sup>ons for appearance vpon the attachment of goods.

Su<sup>m</sup>ons for ap-  
pearance.

To

You are required, in his maj<sup>ties</sup> name, to take notice that such of your goodes or estate is attached as security for yo<sup>r</sup> appearance at the next Court, in <sup>^</sup>, at the suite of <sup>^</sup>, vpon an attachment granted him, to the value of <sup>^</sup>, to answer his complaint in an action of the case, 9<sup>c</sup>, and yow are to appeare to answer the same accordingly. Hereof fayle not. Dated in <sup>^</sup>. Bond for caution vpon granting attachments to strainers.

\*Know all men by these p<sup>s</sup>ents, that wee, — & — of —, doe bind ourselues, our execcuto<sup>r</sup>s, and administrato<sup>r</sup>s, joyntly & seuerally, vnto I H, Treasurer of S, his attorney, successo<sup>r</sup>s in s<sup>d</sup> office, or assignes, in behalfe of A B, in the su<sup>m</sup>e of <sup>^</sup>, on condition that the s<sup>d</sup> — shall prosecute his attachment to effect, taken out this day, against the saj<sup>d</sup> A B,

[\*493.]

1685. and shall likewise pay all such costs & damages as the Court shall award him, &c<sup>a</sup>.

8 July.

The Court voted & approved the aboue written three præidents.

E. R., S.

Mr Dudley &  
Mr Shrimptons  
recompence.

The Court, being sencible of y<sup>e</sup> good service donne for the country by Joseph Dudley, Esq<sup>r</sup>, & Mr Samuel Shrimpton, in their late journey to New York, doe order, that their expenses & disbursments in sd journey be by the country Tresurer dischargd, & that the thanks of this Court be returned to the sajd gen<sup>l</sup> for their great pajnes & good service; and, as a further testimony of our respect & acceptance of the service of the sajd gen<sup>l</sup>, doe order the Treasurer to pay vnto Mr Dudley twenty pounds in money, & to Mr Samuel Shrimpton tenn pounds in money, out of the first country money in his hands.

Ans<sup>r</sup> to Mr  
Josh. Scottows  
pet., & 500 acr<sup>s</sup>  
of land in  
Prouince of  
Meyne gr<sup>ed</sup>  
him.

Whereas, in answer to the petition of Cap<sup>tn</sup> Joshua Scottow, for payment of two hundred & odd pounds claymed by him on acco<sup>t</sup> of his disbursments by him made in the late Indean warr, the Generall Court, in the yeare 1684, granted him, in full of all his demands, fve hundred acres of land, to be layd out in the Prouince of Mayne, in any ffree place, which vote not being entred, sajd Scottow is vncapable of receiuing benefitt thereby, this Court doe hereby confirme the aboue sajd grant of fve hundred acres to him, his heires, & assignes for euer, & Cap<sup>t</sup> Edward Tyng & Mr Dominicus Jordan are impowred to lay out the abouesajd grant.

Tho. Colton  
let<sup>t</sup>.

Thomas Colton, of Springfield, on y<sup>e</sup> motion of the co<sup>m</sup>ittee of militia there, is appointed leiften<sup>nt</sup> for the company of souldjers there, vnder the conduct of Cap<sup>tn</sup> John Pynchon.

Tho. Dewy, of  
Westfeild, cor-  
net.

Also, Th<sup>o</sup> Dewy, alike presented, is appointed cornet to the troop of horse in Hampshire, vnder y<sup>e</sup> conduct of

Ans<sup>r</sup> to Elisa-  
beth Parkers  
peti<sup>o</sup>n.

In ans<sup>r</sup> to the petition or motion of Elisabeth Parker, administratrixe to the estate of Joseph Parker, Ju<sup>n</sup>, son & execcuto<sup>r</sup> of Joseph Parker, Se<sup>n</sup>, of Andiver, this Court doth order & enact, that y<sup>e</sup> administratrix of the sajd estate shall haue power to sell & make firme deeds of some of the lands of sajd estate, prouided that shee shew hir accounts of the condition of the estate, & of the necessity of such sale, vnto the County Court of Essex, or two of the magistrates thereof, and haue their approbation for the quantity that shall be sold.

[\*494.]

Ans<sup>r</sup> to Tho.  
Johnson &  
Mary Dais  
peti<sup>o</sup>n.

\*In answer to the peti<sup>o</sup>n of Th<sup>o</sup> Johnson & Mary Dais, of Hauerill, administrato<sup>r</sup>s to the estate of Ephraim Dais, of Hauerill, this Court grants them liberty & gives them power to sell so much land belonging to the sajd

estate as shall be necessary for the ends proposed, provided they bring their account of the debts & credit of the said estate to the next Court of the county of Essex, & haue their approbation, or, in their vacancy, the approbation of any two of the magis<sup>ts</sup> of said Court.

1685.

8 July.

This Court, being informed of the inability of John Hutchins, of Hauerill, by reason of his being dumbe, to mannage his estate, by impleading of his debto<sup>r</sup>s, & answering to any actions that may be comēced against him, doe grant power to Francis, his wife, to act those affajres in her oune person, or by hir substitute.

Francis Hutchins power, &amp;c.

In answer to the peti<sup>con</sup> of Alice Eaton, wife of John Eaton, on hir further motion it is ordered, that Leiften<sup>nt</sup> Nathaniel Sternes be joyned w<sup>th</sup> the former co<sup>m</sup>ittee appointed by this Court, 7<sup>th</sup> May, 1684, in ans<sup>r</sup> to hir then peti<sup>con</sup>, & for that end in the tryall of the premisses, the sd Lef<sup>t</sup> Sterne to appoint time & place of meeting, making their report to this Court how they finde it.

Ans<sup>r</sup> to Alice Eatons peti<sup>con</sup>.

In ans<sup>r</sup> to the petition of Patrick Inan, a wounded strainger, the Court judgeth it meet & necessary for the peti<sup>con</sup>ers present releife to order the Treasurer to deliuer to him, or his order, sixe pounds in mony.

Ans<sup>r</sup> to Patrick Inans peti<sup>con</sup>.

The co<sup>m</sup>ittee for the affaire betweene M<sup>r</sup> John Sherman & the inhabitants of Water Toune, according to the order of this Court in May last, doe agree & determine, that the proprieto<sup>r</sup>s of the co<sup>m</sup>on lands in Water Toune, whereof the thousand acres now in question is a part, doe, w<sup>th</sup>in twenty dayes, deuide the said thousand acres into three æquall parts, & M<sup>r</sup> Sherman to make his chojce in which of the said parts his interest, amounting to three hundred twenty nine acres, by the gift of seuerall of the said inhabitants & proprieto<sup>r</sup>s, shall lye; and if the said third part passe the quantity aboue, then so much to be taken off of the said third æqually & next adjoyning to the remaining third, and what the said third may want to amount to the said sume shall be added equally out of the next adjoyning third belonging to the proprieto<sup>r</sup>s; and that M<sup>r</sup> Sherman, vpon the diuission aforesaid performed, shall, vnder his hand & seale, give to the said proprieto<sup>r</sup>s a relinquishment of all challenge to any further part of the remainder of the said thousand acres, and that the remainder of the said thousand acres left diuissible to the remayning proprieto<sup>r</sup>s who haue not given their rights to M<sup>r</sup> Sherman according to the æquall & just \*proportion formerly settled for the diuission of the whole tract, long since diuided by Capt<sup>n</sup> Sherman.

10 July.

Co<sup>m</sup>ittees retorne ab<sup>t</sup> M<sup>r</sup> Jn<sup>s</sup> Shermans land at Water Toune.

[\*495.]

And that, if the proprieto<sup>r</sup>s neglect to make the diuission aboue<sup>sd</sup>, it shall be in the liberty of the said M<sup>r</sup> Sherman, by a sworne surveyo<sup>r</sup>, to measure out his aboue said quantity of three hundred twenty nine acres, in



1685. any part of the sajd thousand acres, in one whole peice, & leaue the remajnder  
to be disposed amongst the proprietors as aboucsajd.

10 July.

July 10, 1685.

Signed by WILLIAM STOUGHTON,  
RICHARD SPRAGUE,  
JOHN HOLBOOKE,  
JOHN RICHARDS,  
WILLIAM JOHNSON,  
JOSEPH DUDLEY,  
EDWARD WINSHIP.

This retorne of the comitteee being read & perused by the Court, and  
ordered to be recorded as here it is.

As attests . EDWARD RAWSON, Secreſ.

Order to con-  
vene y<sup>e</sup> elders.

The Court, judging it a matter of greatest concernment in this present  
juncture of Providence towards this people, that wee so mannage ourselues as  
that wee may not be led into temptation, to the doing of any thing dishonour-  
able to our profession, disloyall to his maj<sup>ty</sup> or the peace of those that haue  
betrusted us, doe order, that the reūd elders of the seuerall townes, in a  
schedule on file, be desired to meet & conferr w<sup>th</sup> this Court in council, the  
21<sup>th</sup> instant, at eight of the clock in the morning, and that notice be given to  
those townes who haue neglected to send their deputjes to this sessions that  
they attend the law & their duty, as they will answer their neglect at their  
perrill. And this Court is adjourned to the 21<sup>th</sup> instant, at eight of the clocke  
in the forenoone.

By the Goſno<sup>r</sup> & Company of the Massachusetts Bay in New England.

To all to whom these presents shall come & may concerne,  
greeting.



SYMON BRADSTREET, Govern<sup>r</sup>.

Know yee, that, whereas the honoured  
Generall Court hath appointed vs, whose names  
are vnderwritten, as a comitteee to audit & ex-  
amine the accompts of James Russell, present  
Treasurer of the aboue sajd colony of Massa-  
chusetts Bay, which wee haue accordingly  
donne, since his last accompt, made vp and settled with a former comitteee,  
as appeares by a dischargd, vnder their hands and seale of this colony,  
bearing date the 25<sup>th</sup> of Aprill, 1684, and recorded in the Courts booke

of reccords, the 29<sup>th</sup> of Aprill, 1684, since which wee find the countrys credditt for ballance of former accompt, together with rates, fines, & imposts, to amount to one thousand seventy one pounds five shillings & seven pence in country pay, & two thousand seven hundred & eighty pounds one shilling & eleven pence in mony, of w<sup>ch</sup> is due to the sajd Treasurer, as by the sajd accounts dus more particularly appeare, the some of two hundred & sixteen pounds eleven shillings & three pence in money, besides forty five pounds allowed for making good all rates comprized in sajd accompts allowed to the Treasurer, must haue credit from this colony in next accompt for two hundred sixty one pound eleven shilling & three pence in money, due to him for \*ballance of abouesajd account; therefore, according to the power co<sup>m</sup>itted to us by the honored Generall Court, in the behalfe of the Go<sup>v</sup>no<sup>r</sup> & Company aforesajd, dated the 28<sup>th</sup> January, 1684, wee doe, by these presents, ffully & absolutely remyse, release, & foreuer acquitt & discharge the aforesajd James Russell, Treasurer, his heires, execcuto<sup>r</sup>s, and administrato<sup>r</sup>s, from all rates, fines, reconings, accompts, receipts, and other transactions referring to this colony & the aforesajd Treasurer of the same till the first of September last, by reason of any cause, matter, or thing whatsoever relating to his sajd office, from the beginn<sup>g</sup> to the time aforesajd, touching or concerning the same. In testimoney whereof, wee haue herevnto sett our hands. Dated in Boston, the 18<sup>th</sup> of May, 1685. Annoq regni Regis Jacobj Secundj.

1685.

10 July.

[\*496.]

Signed by

JOHN RICHARDS,  
ELISHA COOKE,  
JOHN SAFFYN,  
EDWARD MORRIS,  
JOHN FAIRWEATHER.

The acquittance & discharge of the Go<sup>v</sup>no<sup>r</sup> & Company of y<sup>e</sup> Massachusetts Bay in New England to James Russell, Esq<sup>r</sup>, Treasurer, his heires, execcuto<sup>r</sup>s, &c, stands thus entred & recorded in the Generall Courts booke of reccords, at request of sajd James Russell, from the 10<sup>th</sup> of July, 1685.

As attests

EDWARD RAWSON, Secret<sup>r</sup>.

1685. *By y<sup>e</sup> Gou<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New  
 21 July. England, at a Generall Court, held at Boston, 21<sup>th</sup> July, 1685,  
 on adjournment from 10<sup>th</sup> sd July.*

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Gou<sup>r</sup>,  
 Tho<sup>s</sup> Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gou<sup>r</sup>,  
 Daniel Gookin,  
 W<sup>m</sup> Stoughton,  
 Joseph Dudley,  
 Nath<sup>l</sup> Saltonstall,  
 Humphry Davy,  
 John Richards,  
 Saff<sup>r</sup> Nowell,  
 Sam<sup>l</sup> Apleton,  
 Robert Pyke,  
 Elisha Cooke,  
 W<sup>m</sup> Johnson,  
 Jn<sup>o</sup> Hathorne,  
 Saff<sup>r</sup> Sewall.

Y<sup>e</sup> names of y<sup>e</sup> deputys returnd to serve at this Court, as y<sup>e</sup> dep<sup>ts</sup> booke.

THE Court mett at y<sup>e</sup> time. Y<sup>e</sup> whole Court being together, w<sup>th</sup> sefall  
 of the reuerend elders, the honno<sup>r</sup>ble Gou<sup>r</sup>no<sup>r</sup> declared y<sup>e</sup> cause of this  
 session was to consult the weighty concernes of this colony of the Massachu-  
 sets Bay at such a juncture, and desired M<sup>r</sup> John Higginson, Se<sup>n</sup>, to seeke the  
 face of God for his specia<sup>l</sup> guidance & direction, &c, w<sup>ch</sup> was donn, and then  
 there was a conference together, &c.

It is ordered, that the Treasurer pay vnto M<sup>r</sup> Richard Patteshall the  
 su<sup>m</sup>e of seuateene pounds two shillings in mony, according to his accompt  
 given into this Court, for his brigandine, his oune & mens wages, his porke,  
 pease, &c. Y<sup>e</sup> acc<sup>o</sup>t on file.

In ans<sup>r</sup> to the petition of Grace Dutch, relict of y<sup>e</sup> late Osmond Dutch, of  
 Glocester, this Court impowers & grants liberty to the administrato<sup>r</sup>s of sajd Os-  
 mand Dutch, or either of them, w<sup>th</sup> the aduice & assistance of Left W<sup>m</sup> Haskel,  
 M<sup>r</sup> James Steevens, & Stephen Glouer, of Glocester, to make sale of any of the  
 lands left by y<sup>e</sup> sajd Dutch for the necessary releife & comfort of his widdow,  
 the petitioner, & to give legall deeds for the same, provided the County Court

of Ipswich allow & approve of it, vnless the children of the sajd Osmand Dutch shall comfortably supply and prouide for hir, y<sup>e</sup> widow & petitioner, during her life, at discretion of sd County Court, if the children be minded to saue the lands.

1685.

21 July.

\*To the Kings most excellent Maj<sup>tye</sup>.

[\*497.]

24 July.

The humble petition of the Gouverno<sup>r</sup> & Company of the colony of the Massachusetts Bay in New England, —

Courts ad-  
dresse to his  
maj<sup>ty</sup>.

Sheweth, —

That, although the distance from your maj<sup>ties</sup> most royall seat, concommi- tant with other vnhappy circumstances, hath disabled vs from being with the first of them who, in this kind, haue binn prostrate at your maj<sup>ties</sup> ffeete, yett we may, with sincerrity, say, we were surprized with sorrow when wee received the sad tidings of the death of our late gracious soueraigne, Charles the Second, of famous memory, whose transcendent grace & princely favour to us hath been as the dew vpon the grasse, and vnder the shaddow of whose protection, thrō the mercy of God, wee haue enjoyed many happy dayes, which losse we feruently pray that it may be more then made vp in your maj<sup>ty</sup> by your smiling aspect towards vs, your loyall subjects, and your defence of the true Protestant religion, for which we shall vnfeignedly blesse the glorious maj<sup>ty</sup> of heaven, and with loyall hearts thankfully acknowledge your maj<sup>ties</sup> goodness therein, being encouraged therevnto by yo<sup>r</sup> maj<sup>ties</sup> gracious declaration, and are thereby imboldned to supplicate yo<sup>r</sup> maj<sup>tye</sup> on behalfe of ourselues, inasmuch as our fathers, & some of us with them, left their native land, with all their pleasant & desirable things therein, embarquing themselues & familyes, & came over the vast ocean, &, thrō divine conduct, arrived heere in a vast howling wilderness, a considerable part whereof, after they had purchased the natives right, w<sup>th</sup> sore labour & indefatigable industry, at their oune charges, haue subdued & made fitt for habitation, thereby enlarging the dominions of your empire, which, for the space of fiuety yeares & vpwards, by divine assistance, hath binn kept & mainteyned thrō the expence of the liues, blood, and treasure of many of your maj<sup>ties</sup> good subjects here vnto this day, to the great releife & timely suport of yo<sup>r</sup> maj<sup>ties</sup> plantations in America. And all this was donne & suffered that our fathers, & wee their \*children after them, might worship God according to the dictates of our consciences, founded vpon the sacred Scriptures, which liberty of our religion wee esteeme more deare to us then our liues; nor did they come hither but with the approbation & princely encouragement of your maj<sup>ties</sup> royall ancesto<sup>rs</sup>, declared in

[\*498.]



1685.

24 July.

their letters patents, and afterwards often rattified by the word of a king, which was to us a full assurance of our vninterrupted fruition of the libertjes & priuiledges therein granted; but of late some are risen vp against us, who haue misrepresented our actions, and falsely accused us to our late soueraigne, by meanes whereof wee haue binn (as we are informed) proceeded against by a scire facias and an alias, both returned with nihills in sixe weekes time, in order to the vacating of our charter, and, as we conceive, tending to the ruin of this your majestjes budding plantation.

We dare not, dread soueraigne, presume to justify ourselues in all our actions. Our remotenesse from your maj<sup>ty</sup>s court, our wildernesse employment, hauing inavoydably rendered us ignorant of many things in law, hath given an occasion for those erro<sup>r</sup>s, which, vpon notice, we haue endeavored the reforming of, and are not conscious to any wilfull male administrations, derogatory to the honno<sup>r</sup> & interest of the croune. What erro<sup>r</sup>s, thro<sup>o</sup> inadvertency or humane fraylty, haue binn comitted by vs, we humbly implore your maj<sup>ties</sup> gracious pardon of in this good day, according to the practise of your renowned ancesto<sup>r</sup>s vpon their accession to the throne; and that your maj<sup>ty</sup> would, in your princely wisdome & clemency, vouchsafe the continuance of those our libertjes, according to our charter, granted & confirmed to us by your most royall predecesso<sup>r</sup>s, that this plantation may grow & flourish vnder the shadow of your maj<sup>ties</sup> most gracious gouernment, confirmed vnto us according therevnto, which, we presume, will be no greife of heart to your maj<sup>ty</sup> another day, but will add another jewell to your imperiall diadem, and erect a lasting monument of aeternall fame in the hearts of this & succeeding generations, & foreuer oblige

Your maj<sup>ties</sup> loyall & obedjent subjects.

As in duty bound to pray, &c.

24<sup>th</sup> of July, 1685.

The Court ordered letters to be sent to M<sup>r</sup> Humfreys & to M<sup>r</sup> Ives, w<sup>ch</sup> are on file, & was sent by M<sup>r</sup> Eldridge.

[\*499.]

\*It is ordered, that the Treasurer, by his order to M<sup>r</sup> Ives, deliuer to Robert Humfreys, Esq<sup>r</sup>, all his demands besides y<sup>e</sup> ballance of 23<sup>li</sup> resting in his hands, and also five pounds more to buy him a good bevar hatt, in refferenc to his service do<sup>n</sup> for this colony, and further discharge what he shall or may expend about deliury of this Courts address, now sent him to prese<sup>n</sup> to his majesty.

It is ordered, that y<sup>e</sup> Treasurer pay vnto M<sup>r</sup> Sam<sup>l</sup> Shrimpton, in behalfe

of himself & y<sup>e</sup> rest of the owners of Mr Foys ships demurrage, nine pounds mony. 1685.

24 July.

This Court is adjourned to the second Wednesday in August next, at one of the clocke.

*At a Generall Court, on adjournment, held at Boston, 12<sup>th</sup> of August,* 12 August.

1685.

THE inhabitants of Rowley Village desiring to be a towneship, wee, whose names are vnderwritten, being a comitte chosen by y<sup>e</sup> toune of Rowley, haue consented that they should be a towneship, provided the honord Court see cause to grant their request. Wee, desiring also that the honnored Gennerall Court would be pleased to confirme the lyne wee haue agreed vpon betwixt the toune of Rowley & the village ; and so your humble servants remaine, yo<sup>r</sup>s, &c.

Agreement for  
Rowley Vil-  
lage to be a  
towneship.

DANIEL WYCOM,  
JN<sup>o</sup> TRUMBLE,  
STEPHEN MIGHILL,  
EZEKIEL JEWET,  
JN<sup>o</sup> HOPKINSON,  
JOHN LIGHTON.

The l<sup>j</sup>ne annexed agreed on was, —

Wee, whose names are vnder written, being chosen by the toune of Rowley, on the one part, & by the village of Rowley, on the other part, to agree about a parting l<sup>j</sup>ne betwixt the toune of Rowley and the village, as being mett together y<sup>e</sup> 7<sup>th</sup> of July, 1685, doe agree as followeth: That the midle bound should be where the ffoot path issueth out of the cart path, not farr of the passe bridge going ouer the great meadow, and from the sajd midle bound to a forked white oake, neere the meadow formerly lajd out to Elder Rayner, being a bound of that part of the sajd meadow that ffell to Captaine Whiple on a diuision, and is also the corner bound of a parcell of land lajd out to Ezekiel Northen, being, by estimation, about forty acres, & so going on the same l<sup>j</sup>ne \*streight to Ipswich ; and from the abouesajd tree, of a streight lyne, to the southwest corner at the three thousand acres, which is a white oake marked w<sup>th</sup> R and T ; & so, from the sajd tree, northward, on a lyne betwixt the three thousand acres and land layd out to Mr Rogers and

[\*500.]

1685. John *John* Pickard, till yow come to a white oake marked with S. R. T., being the corner bounds of John Pickards land, standing in the l<sup>j</sup>ne betwixt Bradford and the village. Wee farther agree, the inhabitants of the village shall be free from all rates, for t<sup>j</sup>me to come, to the toune of Rowley, excepting twenty shillings in siluer, to be pajd by Joseph Bigsby, Señ, John Pebody, Willjam Foster, Samuel Symonds, Moses Tyler, yearely, to any of the comitte, whilst they haue an orthodox minister settled in the village. And further, itt is agreed, that all the comion land lying w<sup>th</sup>in the village vndevided shall remajne to belong to the toune of Rowley, excepting the farme comonly called the Minister Farme, within the village; and any thing that is due to the country for land lying in the village is to be pajd by the inhabitants of the village. In confirmation of what is aboue written, both partjes haue sett to their hands.

Confirmed by  
y<sup>e</sup> Court.

JOHN JOHNSON,  
SAMUEL PLATTS,  
SAMUEL SYMONDS,  
DANIEL WICOME,  
MOSES TYLER,  
STEVEN MIGHILL,  
JOSEPH BIXBEE,

JOHN PEBODY,  
EZEKIEL NORTHEN,  
WILLJAM FOSTER,  
JOHN TRUMBLE,  
EZEKIEL JUETT,  
JOHN HOPKINSON,  
JOHN LIGHTON.

Courts grant of  
y<sup>e</sup> towneship.

The Court, on the cirtificat of the comitte and the bounds, agree for the l<sup>j</sup>ne betweene Rowley and the village vnder their hands, judge meet to grant the petiçoners request, provided the bounds thereof intrench not on other tounes or former grants.

Order to  
sumions jury-  
men to y<sup>e</sup>  
Court of As-  
sistants, out of  
w<sup>t</sup> tounes.

A list of the number of men y<sup>t</sup> are to be sent from the seuerall tounes hereafter, named to serve on y<sup>e</sup> jury of tryalls, & also vpon the grand jury at y<sup>e</sup> Court of Assistant, as as followeth:—

From Salem, 6;	Charlstoun, 4;	Weymouth, 2;	From Boston, 10;
From Lynn, 3;	Water Toun, 4;	Hingham, 2;	Roxbury, 3;
Cambridge, 3;		Concord, 2;	Dorchester, 3;
		Wooborn, 2;	Dedham, 2;
		Maulden, 1;	Brauntry, 2.

Triall for all jurys, 49.

Thus<sup>t</sup> past y<sup>e</sup> Court.

EDW<sup>D</sup> RAWSON, Secret<sup>r</sup>.

[\*501.]

\*The Court judgeth meet to order & appoint Elisha Cooke, & Elisha Hutchinson, Esq<sup>r</sup>, M<sup>r</sup> Isaac Addington, Cap<sup>t</sup> John Phillips, & Cap<sup>t</sup> John

Holbrooke to be a committee to consider of the complaint & petition of the loafe bread bakers, and to draw vp something to be presented to this Court at their next meeting, for the rectifying of what may be thought amisse in the law about the assize of bread, and that, in the meane tyme, the clerkes of the market be directed to vse what lenity may be to the bakers, allowing them after the rate of fower shillings for the baking vp each quarter of wheate, the magis<sup>ts</sup> to appoint time & place of meeting.

1685.

12 August.  
Committee as to  
loafe bread ba-  
kers petition.

In pursuance of the order of the honnord Generall Court, wee haue passed M<sup>r</sup> Anthony Stoddards, Señ, his accounts in his booke about the prison disburse, & finde that M<sup>r</sup> Stoddard hath received, on account of the county of Suffolke, one hundred twenty eight pounds nineteene shillings & fower pence mony, & twenty pounds three shillings and fower pence as mony from & by the order of James Russell, Esq<sup>r</sup>, Treasurer, & finde but one hundred twenty & one pound seven shillings paid out, only he charges fwe pounds for receiving mony, so that wee judge ther<sup>s</sup> due to the country from M<sup>r</sup> Stoddard twenty seven pounds fueteen shillings eight pence, except this Court allow the fwe pounds aboue exprest.

Committees re-  
turn & order  
for y<sup>e</sup> Tresu-  
rer to require  
27<sup>th</sup> 15<sup>th</sup> 84 of M<sup>r</sup>  
Antho. Stod-  
dard.

W<sup>m</sup> JOHNSON,  
JN<sup>o</sup> HOLBROOKE,  
JERREMIAS SWAYNE.

Boston, July 24, 1685.

It is ordered, that the Treasurer take care forthwith to gather in & receive from M<sup>r</sup> Anthō Stoddard the mony due from him on account of the country, according to the returne of the committee, i. e., 27 : 15 : 8.

In ans<sup>r</sup> to the petition of Thomas Walker, brick maker in Boston, it is ordered, that the Treasurer of the country pay vnto him, the petitioner, what is his due remayning to him in mony.

Ans<sup>r</sup> to Tho.  
Walkers peti-  
con.

James Russell, Esq<sup>r</sup>, formerly Treasurer, hauing refused to accept of that service for this present yeare, notwithstanding the Court orders & desires that he looke after the countryes dues for the present, & that he issue out warrants for this yeares assessments, according to law, and they will take care for a new Treasurer \*in their sessions in October next. It is ordered, that the secretary issue out his warrants to the respective tounes that the freemen make chojce of a meete person to be present at October Court to serve in the stead of the present Treasurer. Warrants issued out accordingly.

[\*502.]

This Court was adjourned to the third Wednesday in September next, at one of the clocke, vnless there be some vrgent occasion to call them sooner.



1685.

16 September.

16<sup>th</sup> of September, 1685, the Court mett.

PRESENT, Symon Bradstreet, Esq̃, Goñ,  
 Thō Danforth, Esq̃, Dep<sup>t</sup> Gō,  
 Danī Gookin,  
 W<sup>m</sup> Stoughton,  
 Joseph Dudley,  
 Humphry Davy,  
 Samuel Nowell,  
 Sañ Apleton,  
 Elisha Cooke,  
 W<sup>m</sup> Johnson,  
 Jō Hathorn,  
 Elisha Hutchinson,  
 Sañ Sewall.

Courts order to  
 major gen<sup>l</sup> to  
 inspect the  
 souldjers being  
 provided w<sup>th</sup>  
 am<sup>unition</sup>, &c.

**V**PON rumo<sup>r</sup> & informations given of new troubles feared to arise from the Indeans, that the country may not be wanting in all due meanes for their necessary safety & defence in case of the breaking forth of warr, or assault made by the Indeans, it is ordered, that the majo<sup>r</sup> generall forthwith issue out his warrants to the majo<sup>r</sup>s of the respective regiments, that they direct their warrants to the co<sup>m</sup>ittees of the militia in the seuerall townes vnder their co<sup>m</sup>and to inquire into their toune stockes, how they are provided, according to law, & to the captaines of the seuerall companies to see that the souldjers vnder their co<sup>m</sup>and be furnished with armes & amunition, according to law, & to make returne of any defects in that kind, that the pœnalty of the law may be inflicted on such as are delinquents, & due course taken for redresse thereof; likewise, that the gentlemen heretofore chosen by this Court to the office of sarjant majo<sup>r</sup>s of the respective countyes, that haue not as yet officiated in that capacity, haue their co<sup>m</sup>issions forthwith draune & presented to them, that this Court maybe informed whither they doe accept of them or not, and in case of the refusall, that other provision be made for the settlement thereof.

[\*503.]

Courts gratuity  
 to Wanalancess  
 & other Inde-  
 ans, in case,  
 &c.

\*The Court, being informed by Cap<sup>t</sup> HENCHMAN y<sup>t</sup> WANALANSET, & other Indeans, complayne of offence offered them by transporting some of their freinds, and that the sajd Wannalanset, & others, are not rewarded for service now donn us in the treaty late with the Indeans at Pennacooke, but not being sencible of any knowing or willfull offence or wrong donn by this Court or

the country to the Indians, yet, for silencing of any murmurings or complaints by them, doe order, that the Treasurer advance tenn pounds in money & cloathing, deliuer the same to y<sup>e</sup> major generall, Cap<sup>t</sup> Thomas Hinchman, & M<sup>r</sup> Jonathan Ting, to be distributed by them amongst sajd Indians, some writting bein draune vp to be presented to sajd Indians at the same time to signe, for the rattiffica<sup>o</sup>n of an intire peace and amity betweene them & y<sup>e</sup> English.

1685.

16 September.

The Court, considering the necessity of couering the west stajre case of the toune house with lead, — the wooden couering, being deficient, letts in the rajne, w<sup>ch</sup> decays the majne timber thereof, — it is ordered, that it be donn w<sup>th</sup> all speed, & that the Treasurer defray the charge thereof vpon the countrys accompt, & the rather in regard the toune of Boston haue long since couered the east stajre case of ſd house at their oune cost & charges.

Toune house  
east stajre case  
to be couered  
w<sup>th</sup> lead.

In ans<sup>r</sup> to the petition of Ednah Lambert, relict of the late Thomas Lambert, constable of Rowley, it is ordered, that the sajd Joseph Boynton mentioned in sajd petition shall & hereby is impowred as a constable in all respects, as to the gathring in of such rates as yet remajne vn<sup>p</sup>aid, & should haue binn collected by the late deceased constable, & that the sajd Boynton take y<sup>e</sup> constables oath to the faithfull dischardge of that trust.

Joseph Boynton  
to officiat  
as constable in  
Rowley, &c.

John Richards, Elisha Cooke, & Elisha Hutchinson, Esq<sup>rs</sup>, are appointed a co<sup>m</sup>ittee & heereby impowred to repaire to M<sup>r</sup> Anthony Stoddard, the late surveyo<sup>r</sup> generall, & take his account of the amunition & countrys stocke & store in his hands, & transferr the same to Cap<sup>t</sup> Tymothy Prout, who is appointed surveyo<sup>r</sup> generall in the sajd M<sup>r</sup> Stoddards roome.

Co<sup>m</sup>ittee to  
take M<sup>r</sup> Stod-  
dard, surveyo<sup>r</sup>  
ge<sup>l</sup>s account.  
Cap<sup>t</sup> Tim<sup>o</sup>  
Prout surveyor  
gen<sup>l</sup>.

\*It is ordered, that this session of Court be & heereby is ended, and that there be a second session of Generall Court, to conueane the second Wednesday in October next, at one of the clock.

[\*504.]

1685. *By the Gou<sup>r</sup>no<sup>r</sup> & Compay of the Massachusetts Bay in New England, at a Generall Court, on adjournment, held at Boston, the 14<sup>th</sup> day of October, 1685, by the Gou<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in N. England.*

14 October.

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Go<sup>v</sup>,  
 Thō Danforth, Esq<sup>r</sup>, Dp<sup>t</sup> Gō,  
 Daniel Gookin,  
 W<sup>m</sup> Staughton,  
 Joseph Dudley,  
 Nath Saltonstall,  
 Humphry Davy,  
 John Richards,  
 Samuel Nowell,  
 James Russell,  
 Saff<sup>r</sup> Appleton,  
 Robert Pyke,  
 Elisha Cooke,  
 W<sup>m</sup> Johnson,  
 John Hathorn,  
 Elisha Hutchinson,  
 Saff<sup>r</sup> Seawall,

Esq<sup>rs</sup>.

**A**S an addition to the law, title Imposts, it is ordered by this Court and the authority thereof, that all masters of shippes, or other vessells, that shall bring into our harbours any wines or strong water, the sajd masters shall, before they breake bulke, give a true and just account, vnder his or their hand, vnto the navall officer, of the quantity and sorts of caske he hath on board, with the markes and numbers of the same, & the persons names to whom it is consigned or doth belong, vpon forfeiture of paying the full duty appointed by law, if any be found which the sajd master gaue not account of; and that the ouno<sup>r</sup>s or receivers of such wines or licquo<sup>r</sup>s doe, before it be landed, make a true <sup>^</sup> with the officers of the full quantity, vpon forfeiture of what shall be found more then by them entred, or the value thereof; and that the ouners, or who such uines or licquo<sup>r</sup>s are consigned to, doe pay doune or give, vnder theire hands, to the officer for the payment of the dutys in some convenient time, provided this bind the master no further then to enter all such goods for which he hath signed bills of lading; and if any

more appeare to be on board, taken in w<sup>th</sup>out the masters knowledge, he shall haue liberty of a post entry. 1685.

Whereas there is a generall complaint, in many townes within this jurisdiction, of great abuses offered and damag to particcular persons in the laying open of their proprieties by breaking or laying doune their fences, barrs, or gates, for the p<sup>re</sup>vention of such disorders & vnlawfull actions for y<sup>e</sup> future,—

\*It is ordered by this Court & the authority thereof, that any person or persons who shall presume, from & after the publication heereof, to breake doune any fence, stone wall, or lay open any gates or barrs, breake or open any locks fastned to such gates or barrs standing vpon any mans propriety or enclosure, (vnless in case of *standing vpon any mans propriety or inclosure, vnless in case of* clayming and making out of title to such land,) which person or persons, vpon due conviction of such offence, shall be fined twenty shillings in money, one halfe to the vse of the county, the other halfe to the party injured, and shall also be liable to pay all such damage as any person may susteyne in his propriety or inclosure thereby, to be judged of by the Court or other authority that shall haue the cognizance thereof, or otherwise to be recouered in a due process of law. [\*505.]

It is ordered, that euery Treasurer, notwithstanding the expiration of his office, shall haue as full power for the prosecution of the seuerall constables and collection of the rates *and collection of the rates* which were issued out & comitted to them in his time; also, for the gathering in all other dues arising to the countrey by virtue of the lawes, tit<sup>h</sup> Imposts, and Impost on Wine and strong Licquo<sup>s</sup>, during his treasurership, as he was impowred to doe whilst in that office. Treasurers power.

It is ordered, that all attachments in ciuill actions between party and party shall be served fowerteen dayes inclusive before the Court or time of tryall, any former law or custome to the contrary notwithstanding, and the like to be attended in giving in reasons of appeale. Time for seruise attachm<sup>t</sup> & giv<sup>e</sup> in reasons of apeale 14 days.

As an adition to the law, title Wills, it is ordered by this Court and the authority thereof, that the magistrates of each County Court in this jurisdiction, being annually chosen by the freemen, shall\*haue full power & authority (as the ordinary in England) to sumons any execcuto<sup>r</sup> or execcuto<sup>rs</sup> appointed to the will of any deceased person, who haue declared his or their acceptance of that trust by offering the sajd will for probate, or otheruise requiring him, her, or them to give bond, with sufficient suretjes, for paying all debts and legacies, or to make and exhibbit vnto the Court, vpon oath, a just and true inventory of all the knoune lands, tennements, goods, & chattells of the deceased; and in case suche execcuto<sup>r</sup> or execcuto<sup>rs</sup> shall neglect or refuse so to Addition to y<sup>e</sup> law, title Wills, &c. [\*506.]



1685.

14 October.

doe, sajd Court shall proceed against such person or persons by imposing a fine or fines vpon them, not exceeding tenn pounds p moneth for euery monthes default after the expiration of the time that shall be appointed by the sajd Court for bringiñ in an inventory; and vpon complaint of any creditor or legatory, they shall call any execcuto<sup>r</sup> or execcuto<sup>rs</sup> to render an account of his or their administration.

And it is further ordered, that the sajd Court shall haue full power to receive any information or complaint from any legatee or credito<sup>r</sup> against any execcuto<sup>r</sup> for the deteyning any legacy or any legacies given by the testato<sup>r</sup> or debt due from the sajd estate, and to grant suñon<sup>s</sup> and process, as is vsuall in other cases, for the appearance of such execcuto<sup>r</sup> or execcuto<sup>rs</sup>, at dayes and place assigned by the sajd Court; and vpon neglect or refusall to appeare accordingly, the Court shall proceed to the hearing of the complaint, and to make their decree and determination thereon, and to grant forth execution for the fullfilling thereof; likeuise, to heare & determine all cases relating to wills and administrations, and to make theire decrees and grant executions there vpon, allowing to the party agreived liberty of appeale to the magistrates of the next Court of Assistants, such partjes attending the law as in other cases respecting appeales; alwayes provided, that where matter of fact is controverted, then either plaintiff or defendant may haue a tryall thereof by a jury, if it be desired, w<sup>th</sup> liberty of appeale to the next Court of Assistants, as the law directs, any law, vsage, or custome to the contrary notwithstanding.

[\*507.]

Pouder mony,  
how & by  
whom to be  
improoved, &c.

\*The honno<sup>rtle</sup> Governo<sup>r</sup> hauing signified to the Court that there is a considerable sume of pouder mony in his hands perteyning to y<sup>e</sup> country, it is ordered, that the late Treasu<sup>r</sup>, Mr James Russell, improve it for the buying of pouder for the vse of the country by the first & best opportunity.

Ans<sup>r</sup> to Cap<sup>t</sup>  
Blackwells pe-  
tição.

In answer to the petition of Cap<sup>t</sup> John Blackwell, Esq<sup>r</sup>, the Court granth his request, i. e., liberty to sett vp the two old houses y<sup>t</sup> he tooke doune in the yard belonging to the house he hath hired to his better satisfaction, w<sup>th</sup> bricks, & couering them with shingles, &c.

Humphry Bar-  
ret ensie, Con-  
cord.

Humphry Barrett is appointed ensigne to the ffoote company in Concord.

Joseph Hauley  
left, & Timo.  
Baker ens., of  
Northampton  
compa.

It is ordered, that Mr Joseph Hawley be leiftenñt, & Timothy Baker ensigne, to the foote company of Northampton vnder the conduct of Aron Cooke, captain.

Ans<sup>r</sup> to Mr An-  
tho. Checkleys  
petição.

In answer to the petition of Mr Anthony Checkley, the Court grants the petitioners request as to a hearing of the case mentioned, on the second day

of the next sessions of this Court, at nine of the clocke in the morning, the children of the mentioned Butle<sup>r</sup> & partjes concerned hauing notice given them to attend their concernes & the Courts issue.

1685.

21 October.

Cap<sup>tn</sup> John Phillips hauing this day given in his fynall answer, & refused to accept of the country<sup>s</sup> choyce for being Treasurer, Samuell Nowell, Esq<sup>r</sup>, is appointed by this Court to be Treasurer for this yeare & to next election, it being concluded y<sup>t</sup> y<sup>e</sup> act be not deamd donne to exempte for the future.

Sam. Nowell,  
Esq<sup>r</sup>, Treas<sup>r</sup>, 21  
October, 1685.

In regard this Court haue already made their humble adresse to his maj<sup>ty</sup>, to be presented by the hand of Robert Humfreys, Esq<sup>r</sup>, who hath binn improoved to negotiate in England in behalfe of this colony, it is ordered, that a duplicate of that address, w<sup>th</sup> an encouraging letter, to be sent to M<sup>r</sup> Humfreys to attend his maj<sup>ty</sup>, to vnderstand his gracious acceptance thereof, & to signify the same to us, this being the next opp<sup>r</sup>tunity since the sending that forward.

\*It is ordered, that M<sup>r</sup> Nowell, M<sup>r</sup> Cooke, M<sup>r</sup> Addington, w<sup>th</sup> the secretary, are appointed to effect it. [\*508.]

It is ordered, that there be one rate in country pay, and also halfe a rate  $1\frac{1}{2}$  rates. in money, levyed this yeare for the discharging of the country debts and necessary disbursments, & that the prises of corne for y<sup>e</sup> payment of the country rates for this yeare shallbe: viz<sup>t</sup>, wheate at 5<sup>s</sup> 6<sup>d</sup> p bush, rye at 4<sup>s</sup>, barly & barley mault at fower shillings sixe penc, Indian corne at three shillings, pease at fower shillings, and oates at two shillings; all good & merchantable.

It is ordered, that this Court be adjourned to the third Twesday in Nouember next, at one a clocke, except there shall happen some great occasion it should be conuened sooner; & so y<sup>e</sup> Court arose.

1685. *By the Governo<sup>r</sup> & Company of the Massachusetts Bay in New  
England. At a Generall Court, on adjourn<sup>t</sup>, held at Boston,  
17 November. 17<sup>th</sup> November, 1685, and then satt.*

PRESENT, Symon Bradstreet, Esq<sup>r</sup>, Gō,  
Thoō Danforth, Esq<sup>r</sup>, Dep<sup>t</sup> Gō,  
W<sup>m</sup> Stoughton,  
Joseph Dudley,  
Nath Saltonstall,  
John Richards,  
Saml Nowell,  
James Russell,  
Elisha Cooke,  
W<sup>m</sup> Johnson,  
John Hathorne,  
Elisha Hutchinson,  
Saml Seawall.

Dep<sup>ts</sup> as in y<sup>er</sup> book.

**I**N answer to the petition of Jacob Elljot & Benjamin Daus, humbly desiring the Courts favo<sup>r</sup> to grant Abigail Daus, y<sup>e</sup> relict of y<sup>e</sup> late W<sup>m</sup> Daus, liberty to erect a timber leantoo behind hir house at y<sup>e</sup> south end of Boston, the Court grants hir request therein.

In answer to the petiōn of Joseph Sill, humbly desiring the Courts favour to grant him some lands where he can find it, hauing binn employed in the country<sup>s</sup> service in y<sup>e</sup> late Indean warr, —

Vpon the consideration that this Court hath already granted a plantation of eight miles square, in the Nepmug country, for the accomodating such as were souldiers in the late warr, w<sup>th</sup> whom the petitioner may haue liberty to come in for a settlement, if he thinke good.

Sarjant Andrew Gardiner is appointed ensigne to the ffoote company in Boston, in Assaph Elljots roome, deceased.

[\*509.]

Ans<sup>r</sup> to Major  
Rich<sup>ds</sup> re-  
quest.

Ans<sup>r</sup> to Georg  
Monks peti.

\*In ans<sup>r</sup> to the motion & request of Majo<sup>r</sup> John Richards, Esq<sup>r</sup>, to sett up a leantoo, or shed of tymber, at the end of his warehouse, on his wharfe, next the sea, the Court grants him liberty accordingly.

In answer to the petition of George Monck, the Court judgeth it meet to grant the petitioners request, i. e., liberty to erect a timber shed in the, or adjoynd to, y<sup>e</sup> co<sup>m</sup>on, for provission for his cow, &c.

In answer to the petition of Thomas Gardiner, of Muddy Ryuer, the Court grants his request, & discharges him from his rate of forty shillings imposed on him for y<sup>e</sup> price of wast land, as desired in his peti<sup>c</sup>ōn. 1685.

17 November.  
Ans<sup>r</sup> to Thom-  
as Gardiners  
peti<sup>c</sup>ōn.  
Ans<sup>r</sup> to Tho.  
Jones petition.

In answer to the petition of Thomas Joanes, the Court judgeth it meet to referr the answer of this petition to the County Court of Mudlesex, to doe in the matter as they shall judg meet according to law.

Whereas it hath binn pleaded by the children of Stephen Butler, on the Courts begining to heare the case betwene Anthony Checkly, attorney to W<sup>m</sup> Hollowells children, & them, that they were surprized, & had not time to procure those writtings that were necessary to the case depending, M<sup>r</sup> Checkley also desiring that there might be a full house at the determination of the case, the case is respitted till the next session of this Court, vpon adjou<sup>r</sup>-ment, that so either party may haue libertje & oppertunity to furnish them-selues with such papers as may be for either of their advantage, and the time appointed to be the second day of the sitting of this Court, at nine of the clocke.

Inter Checkley  
& Butler.

This Court is adjourned vnto Twesday, the 16<sup>th</sup> of February next, at one of the clock, vnless any emergent occasion, as the arrivall of any shipp or other vessell from England, bringing any co<sup>m</sup>ands from his maj<sup>ty</sup> of publick concernment, doe call for their convening together sooner.

Courts act as  
to adjourn<sup>ts</sup>.

Vpon the first certeine information thereof, the secretary is ordered forthwith to dispatch a signification \*thereof in writting vnto the seuerall members of this Court, to meet in Generall Court at Boston the second day after the date of such signification, by one of the clock, with such other deputjs as the ffreemen of the respective tounes shall see good to send and add to them; vnto which time this Court is adjourned in such a case aforesajd. [\*510.]

In case of the absence of the secretary, the Treasurer is to make supply.



1685-6. *By the Gou<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England. At a Generall Court, held at Boston, on adjournment, on the 16<sup>th</sup> day of February, 1685.*

16 February.

PRESENT, the Gou<sup>r</sup>no<sup>r</sup>,  
 Dep<sup>t</sup> Gou<sup>r</sup>,  
 Daniel Gookin,  
 W<sup>m</sup> Stoughton,  
 Joseph Dudley,  
 John Richards,  
 Humphry Davy,  
 Samuel Nowell,  
 James Russell,  
 Saff<sup>r</sup> Apleton,  
 Elisha Cooke,  
 W<sup>m</sup> Johnson,  
 John Hathorn,  
 Elisha Hutchinson,  
 Saff<sup>r</sup> Sewall, Esq<sup>rs</sup>.

**A**S an explanation of & addition to the law, title Wills, —  
 Whereas, the magistrates or members of the respective County Courts haue allwayes had power to receive & record all probates of wills, & of granting administrations, &c, it is further ordered by this Court and the authority thereof, that each County Court within this jurisdiction shall haue full power & authority, ffrom time to tjme, as they shall see cawse, to su<sup>m</sup>on any execcuto<sup>r</sup> or execcuto<sup>rs</sup> of any deccased persons last will & testament, legally proved & on record, to appeare before the sajd Court, and to require him, her, or them to make & exhibbit into the registry of the Court a just & true inventory, vpon oath, of all the knoune lands, teniements, goods, and chattells of the deccased, or to give bond with sufficient suertjes for the paying of all debts and legaties of the deccased. And in case such execcuto<sup>r</sup> or execcuto<sup>rs</sup> shall neglect or refuse so to doe for the space of thirty dayes next after, or such further time that the sajd Court shall to them ljm<sup>i</sup>tt & appoint, the Court shall proceed agānst such persons, by imposing a fine or fines vpon them not exceeding tenn pounds p moneth for euery mon<sup>th</sup>s default after the expiration of sajd time so appointed, also vpon the complaint of any credito<sup>r</sup> or legatory  
 [\*511.] to call any execcuto<sup>r</sup> to \*render an accompt of his or their administration.

And it is further ordered by this Court & authority thereof, that the County Courts respectively shall haue full power to receive any information or complaint from any legatory or credito<sup>r</sup> against the execcuto<sup>r</sup> or execcuto<sup>rs</sup> to the will of any deceased person, for the deteyning from him, hir, or them any legaty or legatys given by the testato<sup>r</sup>, or debt due from the estate of such testators, and to grant forth sumōns or process, together with a copy of said complaint or information annexed, for the appearance of such execcuto<sup>r</sup> or execcuto<sup>rs</sup> before said Court, the said warrant, with the libell annexed, to be served fowerteen dayes inclusively before the day appointed for appearance; and it shall be in the power of the Court to order the time of hearing at their first sessions, or at any adjournment of said Court as to them shall seeme meet. And vpon neglect or refusal of such person or persons to appeare accordingly, the Court shall proceed to the hearing of the case, and make their judgment or decree therein, & grant forth executions for the fullfilling thereof; likewise to heare & determine all cases relateing vnto wills and administrations, and to grant forth executions vpon their judgment given therein.

1685-6.

16 February.  
Explanation &  
addition to y<sup>s</sup>  
law, title Wills.

Allwayes prouided, that where matter of fact is controverted, then either plaint<sup>r</sup> or defendant, desiring the same before issue be joyned, may haue a tryall thereof by a jury to be forthwith somōned by warrant from said Court; if there be no jury then empannelled, the said party or partjes making their whole plea or allegation as to all matters of fact at their first hearing and answer, that justice may not be delayed, allowing liberty for any party agreede at the judgment and determination of the Court, or virdict of the jury, to appeale to the next Court of Assistants, giving in their reasons of appeale as the law directs in either cases; and euery person, before his complaint be received or admitted, shall give caution vnto the Court to vallue of tenn pounds in \*money to respond all such charges & fees as the Court shall award, any law, vsage, or custome to the contrary notwithstanding, provided, that law shall not be vnderstood to debarr any person or persons from proceeding in the former & vsuall course of law for the recouery of any debt or legacy due from the estate of the deceased person expressly determined by will.

Form<sup>r</sup> law, ti-  
tle Wills, re-  
pealed.

[\*512.]

And the law intituled An Adition to the Law, title Wills, made October the fowerteenth, 1685, is heereby repealed.

This Court, considering how apparent the threatning hand of God is, by reason of the spreading of that infectious disease of the smalepox in some townes in the country, together with other evils impending ourselues & the churches of Christ abroad, as also in the more than ordinary severity of the winter, &

A day of hu-  
milliation.

1685-6. the losse of many of our cattell occasioned thereby, haue appointed the 25<sup>th</sup>  
 16 February. day of March next to be kept as a day of solemne humilliation & prayer throughout this colony, that wee may obteyne favour from God for the diverting these tokens of his anger, and his smiles towards us in the spring & seed time approaching, and to this end, doe recommend it to the elders & ministers of the respective churches to promote this worke on the sajd day, forbidding servile labour to all people w<sup>thin</sup> this jurisdiction thereon.

Ans<sup>r</sup> to Manchester petition on file.

In answer to the petition of the toune of Manchester, the Court judgeth it meet to recommend the petitioners to the charity of the neighboring churches & congregations to afford them some present releife & assistance.

Ans<sup>r</sup> to Edw<sup>d</sup> Broomfeild petition.

The Court, on the motion of M<sup>r</sup> Edward Broomfeild, doe grant him liberty to erect a tjmber porch to his house, not exceeding eight foot wide & tenn foote long.

Ans<sup>r</sup> to Wrentham petition & y<sup>r</sup> liberty.

In answer to the petition of the inhabitants of Wrentham, humbly desiring the favo<sup>r</sup> of this Court, (their co<sup>m</sup>ittee hauing consented to & approved of their desire therein,) it is ordered, that they haue liberty to choose their select men to order their prudentiall affajres.

M<sup>r</sup> Sam. Checkly ensig. to Cap<sup>t</sup> Wings compa.

M<sup>r</sup> Samuel Checkley, being nominated by the co<sup>m</sup>ittee of militia to be ensigne to Cap<sup>t</sup> Wings company, the Court doth allow & approve thereof.

[\*513.]

Sam. Nowell, Esq<sup>r</sup>, navall officer.

\*For asmuch as James Russell, Esq<sup>r</sup>, navall officer, doth declare to the Court his desire to be freed from that trust, his desire is therein granted; and it is ordered, that Samuel Nowel, Esq<sup>r</sup>, be the navall officer, & excercise that trust vntill this Court take further order, & to be co<sup>m</sup>issionated & sworne as the law directs.

Ans<sup>r</sup> to Jer. Neale peti., adm<sup>str</sup> to Nath. Pitmans estate.

In answer to the peti<sup>c</sup>on of Jerremiah Neele, of Salem, it is ordered, that the petitioner be referred to the County Court of Essex to inspect the matter of the petitioner, & if they find it necessary, as is presented, they are hereby impowred to grant the petitioner liberty to make <sup>^</sup> of so much of the land as maybe necessary to sattisfy y<sup>e</sup> debts.

Ans<sup>r</sup> to Martha Athys peti<sup>c</sup>on.

In answer to the petition of Martha Athy, late relict of Abraham Smith, & administratrix to his estate, it is ordered, that the petitioner be referred to the County Court of Midlesex, she evidencing that there are just debts owing from the estate of her late husband more then the mooveables will reach, to sattisfy; that, then, they appoint a co<sup>m</sup>ittee to sett out such a *a* part of y<sup>e</sup> land (to the least detriment of the remayning estate) as shall amount to the sajd su<sup>m</sup>e, which the petitioner is impowred to make sale of for discharge of sajd debts.

Ans<sup>r</sup> to Natick Indians petition, &c.

In answer to the petition of the inhabitants of Natick, James Rumly Marsh, Peter Ephraim, Thomas Tra, &c, Indeans, the Court, hauing pervsed

the petiçôn, judge meet to grant their request therein mentioned, to give or sell a tract of land to Thomas Sawin, to erect a corn mill in their toune, vpland & meadow, not exceeding fifty acres, Major Geñ Gookin approving thereof.

1685-6.

16 February.

In ans<sup>r</sup> to y<sup>e</sup> petiçôn of W<sup>m</sup> Lyon, nothing donn as to a ljense.

In ans<sup>r</sup> to the petition of Jn<sup>o</sup> Langley, it is ordered, that, whereas John Langley, of Hingham, hath presented his accompt of charges in mainteyning & looking after Patrick Bymion, a wounded seaman, lodging at his house, amounting to the sume of thirty one pounds seventeen shillings, that he be forthwith payd five pounds in money by the Treasurer towards sajd charge, and Cap<sup>t</sup> Jn<sup>o</sup> Holbrooke, Left<sup>t</sup> Samuell White, of Weymouth, with Cap<sup>t</sup> Jn<sup>o</sup> Jacob, of Hingham, be a comittee to audit & examine the accõ, & to make report thereof to the country Treasurer, & he to take care of y<sup>e</sup> payment hereof w<sup>th</sup> what speed may be.

Acco<sup>t</sup> was, —

Patrick Bymion, deb<sup>t</sup> to 50 weekes djet, & dressing his wounds.

Washing & lodging, at his house, . . . . . 29 00 00

For 3 journeyes to Boston, & medicines, at . . . . . 2 17 00

Ƴ Con<sup>ta</sup>. Country credit, at . . . . . 06 000

12 x x x .

\*In ans<sup>r</sup> to the petition of Samuel Read, of Charls Toune, a wounded souldjer, it is ordered, that Ensigne James Conuers, M<sup>r</sup> Job Lane, & Cap<sup>t</sup> Jerremiah Swajne, together with the selectmen of Charls Toune, inquire into the condition of Samill Read, & make report thereof vnto the next session of this Court. [\*514.]

It is ordered, that Elisha Cooke & Elisha Hutchinson, Esq<sup>s</sup>, with Cap<sup>t</sup> Timothy Prout, Cap<sup>t</sup> Jn<sup>o</sup> Holbrooke, & Leiften<sup>t</sup> Samuel White, be a comittee & impowred to vejw the buildings on the lands formerly Benjã Wards, now in the possession of Steven Butler, & to informe themselue, by the best wayes & means they can, what charges & reparations the sajd Butler hath disbursed vpon them, and what the sajd buildings are, better or worse, since they came into the possession of the sajd Butler, and to make report to the next sessions of this Court.

This Court is adjourned vnto Tuesday, y<sup>e</sup> 11<sup>th</sup> of May next, at eight of the clocke, vpon the same condition of being called in case as is provided for in y<sup>e</sup> last adjournm<sup>nt</sup>, in euery respect.



1686. *\*By the Govern<sup>r</sup> & Company of the Massachusetts Bay in New England. At y<sup>e</sup> Gen<sup>l</sup>. Courts adjournment, held in Boston, 11<sup>th</sup> May, 1686.*

11 May.

[\*515.]

THE committee made their returnes of what was committed to them as to the refferenc relating to y<sup>e</sup> case begun of M<sup>r</sup> Anthō Checkley, attorny to y<sup>e</sup> Holloway & Stephen, Butlers children.

By the Gouverno<sup>r</sup> & Company of the Massachusetts Bay in New England.



To all to whom these presents shall come & may concerne, greeting. Know yee, that, whereas the honored Generall Court of the abouesajd colony hath appointed vs, whose names are here-  
vnder written, as a committee to take in the accompts of James Russell, late Treasurer, for the yeare one thousand six hundred eighty & fower, and give the said Treasurer a full discharge therevpon, with the scale of the colony affixed therevnto, therefore, by virtue of the power committed to vs by the honored Court, in the behalfe of the Gouverno<sup>r</sup> & Company aboue said, bearing date the 27<sup>th</sup> day of May last, wee haue perused and examined his accompts, and finde the countryes credit for rates, fines, & imposts, &c, since his former accompt, amounts to the sume of nine hundred sixty two pounds one shilling & two pence in country pay, & eighteen hundred eighty fower pounds two shillings & eight pence mony, which wee finde to be all disbursed and payd for the vse of the abouesajd Massachusetts colony, and the said accompts adjusted and ballanced to our satisfaction; and wee doe therefore, in the behalfe of the Gouverno<sup>r</sup> & Company abouesajd, by these presents, fully and absolutely remise, release, and for euer acquitt and discharge the aforesajd James Russell, late Treasurer, his heires, execcuto<sup>r</sup>s, & administrato<sup>r</sup>s, from all rates, fines, reconings, accompts, receipts, and imposts, and all other transactions referring to the abouesajd colony and the said Russell, as Treasurer of the same, from the begining of the world to the day of the date hereof, by reason of any matter or thing whatsoever relating to his said office, or touching & concerning the same. In testimony whereof, wee haue herevnto sett our hands. Dated in Boston, the eleventh day of May, anno Domini 16 hundred eighty sixe, annoq regnj Regis Jacobj secundj, Angljæ, &c, secundo.

This acquittance signed by

JOHN RICHARDS,  
ELISHA COOKE,  
JOHN SAFFYN,  
EDWARD MORRIS.

This acquittance & discharge of the Goũno<sup>r</sup> & Company of the Massachusetts Bay in New England to James Russell, late Treasurer, stands thus entred & recorded in the Generall Courts booke of reccords, at request of the sajd James Russell, from the day of the date hereof, 11<sup>th</sup> May, 1686.

Attests EDW<sup>d</sup> RAWSON, Secret<sup>r</sup>.

[Page \*516 is blank.]

1686.

11 May.

*\*By the Gov<sup>r</sup>no<sup>r</sup> & Company of the Massachusetts Bay in New England. At a Generall Court for Elections, held at Boston, 12<sup>th</sup> of May, 1686.*

[\*517.]

12 May.

SYMON BRADSTREET, Esq<sup>r</sup>, was chosen Goũno<sup>r</sup> for y<sup>e</sup> yeare ensuing, & tooke his oath y<sup>e</sup> same day.

Thomas Danforth, Esq<sup>r</sup>, was also chosen Dep<sup>t</sup> Goũ, & tooke his oath at y<sup>e</sup> Goũno<sup>r</sup> house y<sup>e</sup> same day.

Daniel Gookin, Esq<sup>r</sup>,  
 Except<sup>ed</sup> John Pynchon,  
 W<sup>m</sup> Stoughton, 1 Coĩmissĩ,  
 Nathanĩ Saltonstall,  
 Humphry Davy,  
 John Richards,  
 Samuel Nowell,  
 James Russell,  
 Peter Tylton,  
 Sam<sup>l</sup> Apleton,  
 Robert Pyke,  
 Elisha Cooke,  
 W<sup>m</sup> Johnson,  
 Jn<sup>o</sup> Hathorne,  
 Elisha Hutchinson,  
 Sam<sup>l</sup> Sewall,  
 M<sup>r</sup> Isack Addington,  
 Cap<sup>t</sup> Jn<sup>o</sup> Smith,

& also Major Geĩll.

& Coĩmission<sup>r</sup> & Treasurer, & took his oath the 13 May.

Esq<sup>s</sup>, were chosen Assistants, & took all their oathes to their places y<sup>t</sup> day & y<sup>e</sup> next, excepting M<sup>r</sup> Stoughton & M<sup>r</sup> Pynchon, then absent, &c<sup>d</sup>.

Scale.

Edward Rawson was chosen Secret<sup>r</sup>, & tooke his oath 13 May.

13 May.

1686.

13 May.

The names of the deputjes returnd to serve at this Court were, from  
Salem : Lef<sup>t</sup> Jn<sup>o</sup> Putman.

Charls Tō : Cap<sup>t</sup> Rich<sup>d</sup> Sprague, Cap<sup>t</sup> Jn<sup>o</sup> Phillips.

Dorch : M<sup>r</sup> W<sup>m</sup> Sumner.

Boston : Cap<sup>t</sup> Tim<sup>o</sup> Prout, M<sup>r</sup> John Saffyn, Cap<sup>t</sup> Penn Tounsand.

Roxbury : M<sup>r</sup> Edw<sup>d</sup> Morris.

Wateř : M<sup>r</sup> Symon Stone.

Cambř : Lef<sup>t</sup> Edw<sup>d</sup> Winship, M<sup>r</sup> Samuel Champney.

Lyn : Leiftenñt Oliuer Purchis.

Ipswich : Cap<sup>t</sup> Daniel Epps, M<sup>r</sup> Symon Stacy.

Newbē : M<sup>r</sup> Richd Bartlett, Lef<sup>t</sup> Stephen Greenleafe.

Weymoth : Cap<sup>t</sup> Jn<sup>o</sup> Hollbrooke.

M<sup>r</sup> Edward Oakes for Concord.

Lef<sup>t</sup> Nathanī Sternes, Ensiĝ Thomas Fuller, Dedham.

M<sup>r</sup> Jn<sup>o</sup> Peirson, M<sup>r</sup> Jn<sup>o</sup> Todd, Rowley.

M<sup>r</sup> Samuel Tompson, Braintry.

Ensigne James Convers, M<sup>r</sup> Mathew Johnson, Wooborne.

M<sup>r</sup> Peter Ayres, Hauerill.

M<sup>r</sup> Medad Pumroy, Northampton.

M<sup>r</sup> Samuel Partrig, M<sup>r</sup> Thomas West, Hadley.

Cap<sup>t</sup> W<sup>m</sup> Raymon, Beuerly.

Cap<sup>t</sup> Jerrē Swajne, Redding.

M<sup>r</sup> James Steephens, Gloucester.

Cap<sup>t</sup> Thomas Fiske, Wenham.

Lef<sup>t</sup> Thomas Thirston, Meadfeild.

Lef<sup>t</sup> Thomas Baker, Topsfeild,

M<sup>r</sup> Abraham Reddington. As returnd.

M<sup>r</sup> John Saffin was chosen their Speaker for this session.

[\*518.]

Courts ans<sup>r</sup> to  
M<sup>r</sup> Jn<sup>o</sup> Clarke  
pet.

\*In ans<sup>r</sup> to the petition of M<sup>r</sup> John Clarke, of Boston, a chirurgeon, the Court judgeth it meet totally & absolutely to remitt the forfeiture of his bond of two hundred pounds, according to his desire, w<sup>ch</sup> past 21 M<sup>rch</sup>, 1684<sup>3</sup>, & being omitted by y<sup>e</sup> secretary then to enter it, the secretary is ordered by y<sup>e</sup> magis<sup>t</sup>s to enter it forthwith, w<sup>ch</sup> is thus here donne.

Comittee to re-  
turne y<sup>e</sup> Courts  
thanks to M<sup>r</sup>  
Wigglesworth.

It is ordered, that M<sup>r</sup> Humphry Davy & M<sup>r</sup> Treasurer give the Reüend M<sup>r</sup> Michael Wigglesworth the thanks of this Court for his sermon on Wednesday last, & to desire him speedily to prepare the same for the presse, adding

thereto what he had not then time to deliuer, the Court judging that the printing of it will be for publick bennefitt.

1686.

In answer to the petition of Joshua Scottow, the Court grants the petitioner five hundred acres of land more, as an addition to the four hundred acres formerly granted, & to be in the same place, & on the same conditions, in full of all demands.

13 May.  
Ans<sup>r</sup> to Cap<sup>t</sup>  
Scottows pet.

This may informe the much honno<sup>d</sup>ed Generall Court that this tract of land of five hundred acres is exactly measured, the just quantity, as neere as may be, w<sup>th</sup>out fraud or deceite. The plott is lajd doune by protäcter, scale, & compass, according to art. The first angle, a white oake by the corner of the meadow: this l<sup>j</sup>ne runns south, 5 degrees to the west, three hundred and twenty rods, meadow, in 2 parcells, a twenty or thirty acres, & writt bad land a great deale. The second angle, a white oake by a swampe: this l<sup>j</sup>ne runns east, 5 degrees to the south, two hundred & fiuety rods. 3. This l<sup>j</sup>ne or angle, vpon a right line, north, five degrees to the east, 320 rods, & judge half the farme good stony land. The 4 l<sup>j</sup>ne runns west from a chestnut tree on the side of it; a hill in it called Ashants Hill; a brooke runns through it called Cold Harbo<sup>r</sup> Brook; runns west, 5 degrees to the north, two hundred & fiuety rods. This land lyeth between Marlborough, Lancaster, & Worcester, & is a grant of the much honored Generall Court to M<sup>r</sup> Edward Rawson, Secretary.

Edw<sup>d</sup> Rawsons  
500 acr<sup>s</sup> layd  
out & ap-  
proved.

By me, JOHN HEYNES, of Sudbury.

The Court approoves of this survey & returne.

As attests HUMPHRY DAVY, p order.

In ans<sup>r</sup> to the petition of Benjamin Bosworth, the Court grants the petitioner two hundred acres of land where it maybe found free from any other grant, & not hindering the settlement of a plantation, making returne to the Generall Court for further confirmation, as y<sup>e</sup> law directs.

Ans<sup>r</sup> to Benj.  
Bosw<sup>th</sup> peti-  
tion.

In answer to the petiçôn of Elizabeth Hobson, the Court judgeth it meet to referr the matter to the examination & inspection of the County Court in Essex, & to act therein for the releife of the widdow as they in their wisdome shall deeme legall & necessary.

Ans<sup>r</sup> to Elisa  
Hobsons pet.

[\*519.]

\*Gent<sup>n</sup>: —

20 May.

Wee haue pervsed what yow left w<sup>th</sup> us as a true copy of his maj<sup>ties</sup> com- mission, shewed to us the 17<sup>th</sup> instant, impowring yow for the gouerning

Courts reply to  
his maj<sup>ty</sup> co-  
mission<sup>s</sup>, &c.



1686. of his majties subjects inhabitting this colony, and other places therein mentioned.

20 May.

Yow then applyed yourselues to vs, not as a Goſno<sup>r</sup> & Company, but (as yow were pleased to terme us) some of the principall gentlemen and cheife of the inhabitants of the seuerall townes of the Massachusetts, amongst other discourse saying it concerned us to consider what there might be thought hard & vncasy.

1. Vpon pervsall whereof wee finde, as wee conceiue, first, that there is no certejne determinate rule for your administration of justice, & that which is seemes to be too arbitrary.

2<sup>dy</sup>. That the subjects are abridged of their liberty as Englishmen, both in the matter of legislation and in the laying of taxes, and indeed the whole vnq<sup>u</sup>estioned priuledge of the subject transferred vpon yourselues, there being not the least mention of an assembly in the comission.

And therefore wee thinke it highly concernes yow to consider whither such a comission be safe, either for yow or us ; but if yow are so sattisfied therein as that you hold yourselues oblejdged thereby, and do take vpon you the government of this people, although wee cannot give our assent thereto, yet hope shall demeane ourselues as true & loyall subjects to his maj<sup>ty</sup>, and humbly make our addresses vnto God, &, in due time, to our gracious prince, for our releife. Past by the whole Court, nemine contradicentes.

By order, EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

20<sup>th</sup> May, 1686.

Superscribed, —

These for Joseph Dudley, Esq<sup>r</sup>, & the rest of the gent<sup>n</sup> named in his maj<sup>ties</sup> comission.

[\*520.]  
Courts act &  
order for a re-  
pository of such

\*Ordered by this Court, that Samuel Nowell, Esq<sup>r</sup>, M<sup>r</sup> Jn<sup>o</sup> Saffin, & Cap<sup>t</sup> Timothy Prout be a comitte<sup>e</sup> for a repossitory of such papers on file with the secretary as refer to our charter, & negotiations, from time to tyme, for the security thereof, with such as referr to our title of our land, by purchase of Indeans or otherwise ; and the secretary is ordered accordingly to deliuer the same vnto them.

Anst to Abigail  
Ben<sup>ts</sup> pet.

The Court, hauing pervsed the petition of Abigail Benjamen, judge meet to referr the matter thereof to the next County Court of Middlesex to be duely examined, & they are heereby impowred to determin the case as they judge meet.

Anst to Tred-  
well & War-  
ners pet.

In answer to the petition of Nathaniel Tredwell & Jn<sup>o</sup> Warner, the Court judge meet to referr the matter thereof to the consideration of the

County Court in Essex to the matter thereof, & settle the estate for the just ends therein mentioned. 1686.

20 May.

In answer to the petition of John Shephard, of Concord, it is ordered, that, if it appeare by record that there was such a grant & survey & returne, & accepted by the deputjes, as is supposed by the petitioner, approoved of by the magistrates, & a fajleur in entrance, & he desiring that some of the inhabitants of Stow may appeare & psent their objections, it is granted, that he & they haue the oppertunity the next sessions of Court, & notice to be given accordingly.

This day the whole Court mett at the Goûno's house, & there the Court was adjourned to the seccond Wednesday in October next, at eight of the clocke in y<sup>e</sup> morning.



# MISCELLANEOUS RECORDS.





# MASSACHUSETTS RECORDS.

## MISCELLANEOUS ENTRIES CONTAINED IN THE FIFTH VOLUME OF RECORDS.

[In an unknown chirography.]

*Grant to William Blathwayt, Esq.*

1680.

\* CHARLES the Second, by the grace of God, of England, Scotland,  
France and Ireland, King, Defender of the Faith, &c\*, to all to whom  
these presents shall come, greeting. KNOW YEE, that wee, out of our royall  
care of the good government and direction of our affaires in the remoter parts  
of the world, and particullarly takeing into our princely consideration how  
necessary it is for us to settle our revenues arising in and from our severall  
forreign dominions, islands, colonies, and plantations in America, and how  
much it would tend to the advantage of our service and benefitt of our sub-  
jects to make some better provision for the due payment to us, our heires,  
and successors, of our said revenues, and for the due and orderly takeing,  
examining, and statcing the accompts of all and every y<sup>e</sup> collectors, receivers,  
auditors, treasurers, subcollectors, and other inferiour officers, ministers, and  
persons to whom it shall or may appertaine or belong, to act x x in or  
with the said collecting, levying, or receiving of any the sums of money  
growing or arising, and due and payable, unto us in x x any of our  
fforreign dominions in America, which will be effected and brought to pass by  
the erecting an office for the inspection, examination, and auditt of all and  
singular accompts of all monys arising & growing, due and payable, to us,  
and accruing within our said dominions and colonies, HAVE, for the causes  
and reasons aforesaid, as also for divers other great and weighty causes and  
considerations us hereunto especially moveing, created, erected, and estab-  
lished, and by these presents, for us, our heires, and successors, do create,  
erect, and establish, an office of generall inspection, examination, and auditt of

19 May.  
[\*1.]

1680.

19 May.

[\*2.]

all and singular accompts of all and every sum and sums of money ariseing and groweing, due and payable to us, and accrewing, or which shall arise and grow, become, due and payable to us, and accrew in or from any of our fforreigne dominions, colonies, and plantations in America; and the chief officer thereof shall be stiled & called y<sup>e</sup> Surveyor and Auditor Generall of all our revenues ariseing in America. AND \*and KNOW YEE further, that wee, reposing especial trust & confidence in the faithfulness, abilities, and circumspection of our trusty & well beloved subject William Blathwayt, Esqr, and for divers other good causes and considerations us thereunto especially mooving, of our especiall grace, certain knowledge, and meer motion, have given & granted, and by these presents do give and grant, unto the said William Blathwayt the said office of Surveyor and Auditor Generall of all our revenues ariseing in America. And wee do also give to him, the said William Blathwayt, full power and authority to inspect, examine, state, and auditt, and, with the allowance, authority, & consent of the lord high treasurer, comissioners of our treasury, or chancellour of the exchequer, for the time being, to determine all and singular accompts of all such rents, revenues, prizes, fines, escheats, forfeitures, duties, and profitts whatsoever as are by reason or cause of any matter or thing hapned or fallen since the begiining of the first warr that was between us and the States Generall of the United Netherlands since our restauration, and not before, and which shall at any time hereafter happen, fall, become, or be due, payable, or accruing to us, our heires, and successors, dureing the continuance of this grant, in or from all or any of our said fforreigne dominions, islands, colonies, or plantations in America; as also by all lawfull wayes and means to cause to be recovered and payd to the pper officers, to our use, all such rents, revenues, prizes, fines, escheats, forfeitures, duties, and profitts as are now, or shallbe hereafter, due or owing to us, our heires, or successors, within or from our said fforreign dominions in America, and to do and performe all and every such matter, cause, or thing in relation to the said accounts and revenues which to the office and places of our surveyor generall, or any our auditors of our exchequer in England, doth or may belong or appertaine as to our ax and revenues in England, and him, the said William Blathwayt, surveyor and auditor generall of the rents, duties, revenues, prizes, fines, forfeitures, escheats, and profitts aforesaid, Wee do by these presents, for us, our heires, and successors, make, ordaine, and constitute, \*To HAVE, HOLD, enjoy, and excercise the said office of surveyor and auditor generall unto him, the said William Blathwayte, by himselfe or his sufficient deputy or deputies, for and dureing the time and so long as he shall well behave himselfe in y<sup>e</sup> s<sup>d</sup> office.

[\*3.]

1680.

19 May.

And for the better encouragement of him, the said William Blathwayt, dilligently and faithfully to execute the said office and employment of surveyor and auditor generall as aforesaid, Wee have given and granted, and by these presents do give and grant, for us, our heires, and successors, unto the said William Blathwayt the annuity and yearly salary of five hundred pounds sterling, to have, hold, receive, and enjoy the said annuity or yearly salary of five hundred pounds sterling to him, the said William Blathwayt, during his good behaviour in the said office, out of the said rents, revenues, prizes, fines, forfeitures, escheats, duties, profitts, arising or growing, due or payable as aforesaid, in or from our said dominions, colonies, and plantations of America, by the hands of our treasurers, receivers, collectors, or other officers or persons for the times being, out of such of our treasure as shall be remaining in their hands, after and according to y<sup>e</sup> pportion following: that <sup>^</sup> to say, out of all and any the rents and other the duties and profitts aforesaid, arising in or from o<sup>r</sup> dominiō and colonies of Virginia, the sume of one hundred pounds; out of our Island of Barbadoes the sum of one hundred & fifty pounds; out of our islands, comonly called the Leeward Charribby Islands, the sum of one hundred pounds; and out of our Island of Jamaica the sum of one hundred and fifty pounds; to be allowed them on their respective accounts, and to be received by the said William Blathwayt, as aforesaid, quarterly, at the four most usuall feast dayes in the year, by even and equall portions, and the s<sup>d</sup> payment to commence from the Feast of the Annunciation of the blessed Virgin Mary last past. And wee do hereby authorize, will, and \*direct all officers and persons whom it may concern to make due payment and allowance of the said annuity or salary of five hundred pounds sterling in manner as aforesaid, according to the purport, true intent, and meaning of these presents, for which the acquittance of the said William Blathwayt, his execut<sup>s</sup> or administrators, shall be unto such officers and persons a sufficient discharge. AND to the end the said office of surveyor and auditor generall may be duely and rightly executed, WEE do hereby will and comānd the said William Blathwayt and his deputies to be obedient to and to observe such orders, rules, and directions for and concerning the same and relateing thereunto as the high treasurer of England or the comissioners of the treasury and the chancellor of the exchequer for the time being shall from time to time direct and appoint, which directions and orders shall be unto him, the said William Blathwayt, at all times, a good and sufficient warrant and discharge. AND that he do deliver unto them respectively, from time to time, a faire and just state of all such accompts as he shall receive from the respective officers settled or established, or to be settled or established, within our said plantations, col-

[\*4.]



1680.

19 May.

[\*5.]

onies, and dominions in America afores<sup>d</sup>; AND that the said William Blathwayt do also from time to time offer and present to our high treasurer or comissioners of y<sup>e</sup> treasury for the time being such proposalls and observations concerning our said duties and revenues as may any way tend to our service; AND for the more effectuall execution and performance of the premises, WEE do hereby further impower and authorize the said William Blathwayt from time to time to constitute & appoint, by any writeing under his hand and seale, each inferior officers for the better expediteing and carrying on our service in relaçon to the said office as by nomination, warrant, and direction from our high treasurer of England or comissioners of the treasury for the time being the said William Blathwayt shall be directed, AND them from time to time to suspend, remove, & displace as to him, the said William Blathwayt, with the allowance or direction of the lord treasurer or comissioners of the treasury for the time being shall be thought necessary and expedient. AND whereas there is an auditor generall established by our authority within our colonie of Virginia, WEE do hereby especially provide and require that the \*auditor generall of Virginia for the time being do, from time to time, transmitt and deliver unto the said William Blathwayt, his deputy or deputies, from time to time and at all times, the full and particular state of all accounts of monies ariseing or payable within our said colonie as he, the said auditor of Virginia, shall and ought to receive the same from the respective collectors, receivers, and other officers lawfully appointed to collect, receive, and mannage our said revenue. AND after the determinaçon of the present grant or grants of the said office of auditor generall of Virginia, the said office is to be annexed, and wee do hereby annex the same, to the office of surveyor and auditor generall hereby erected; AND the same William Blathwayt, and his successors in the said office hereby erected, shall do and performe by themselves or deputies all the powers and authorities which are or ought to be executed at this present by the said auditor generall of Virginia. AND, further, it is our express will and pleasure that by the name and title of rents, revenues, prizes, ffines, escheats, forfeitures, duties, and profitts, ariseing, due, and payable to us within our said dominion, be understood and comprized, to all intents and purposes, among other things, all and all manner of arrears of monyes, rents, revenues, prizes, and prize goods, fines, forfeitures, escheats, duties, and profitts which have arisen within our said dominions of America, and which are due, payable, and accomptable unto us, our heires, and successors, by any person or persons whatsoever, by cause or reason of any matter or thing hapned or done since the begining of the first warr that was between us and the States Generall of the United Netherlands since our restauration, and not before, and all that shall hereafter

happen, fall, or become due to us, our heires, and successors, dureing the continuance of this grant, AND also all seizures & forfeitures, since that time lawfully belonging, or which shall at any time hereafter belong, to us, our heires, and successors, by vertue of any law or statute of our kingdome of England, or other law which is or shall bee in force in any of our said dominions in America respectively, or by reason of any speciall license, grant, or charter held of us, whether the same be made on land or upon the sea, in any part or parts whatsoever, lying or scittuate, or comonly accounted or esteemed to be lying or scittuate, within the limitts and bounds of America aforesaid. AND wee do hereby, \*for us, our heires, and successors, require and comānd all governors, deputy governors, councills, and comānders in chiefe, and their and every of their subordinate officers and ministers respectively, and all and every collector, receiver, treasurer, and all other officers and persons whatsoever of and appertaining to our said colonies and dominions in America from time to time, to observe, fulfill, and obey our will and pleasure in all things concerning the premises, and to be aiding, favouring, and assisting to the said William Blathwayt, his deputy or deputies, in the due execution thereof. AND wee do by these presents, for us, our heires, & successors, grant unto the said William Blathwayt that these our letters patents, or the enrolement or exemplification thereof, shall be good and effectuell in the law, and shall be allowed of as well in all Courts of record & elsewhere within our realm of England, as also within any of our islands, plantaçons, territories, and dominions whatsoever, for his, the said William Blathwayts, haveing, excerciseing, and injoying the said office & annuity or salary, according to the purport and true intent of these presents, without any further or other warrant in y<sup>t</sup> behalf. AND, LASTLY, it is pvided, intended, and declared, that these presents, or any thing therein contained, shall not extend, or be construed to extend, to empower the said William Blathwayt, or any other person or persons whatsoever, to act or intermeddle in or with the customes, imposts, or duties ariseing here in England for or upon any wares, goods, & merchandizes imported into this kingdome from our said islands, colonies, plantaçons in America, or with any bond or obligacōn taken, or to be taken, in pursuance of any act of Parliament at any time heretofore made in England, or with any rates or duties payable unto us for goods transported from one plantaçon to another, by vertue of an act of Parliament made in the twenty-fifth year of our raigne, any thing herein contained to the contrary notwithstanding. ALTHOUGH express mençōn of the true yearly value or quantity of the premises, or of any of them, or of any other guifts or grants by us, or by any of our progenitors or predecessors heretofore made to the said William Blathwayt in

1680.

19 May.

[\*6.]

1680.

19 May.

[\*7.]

these p<sup>s</sup>ents, is not made, or any statute, ordinance, provision, proclamation, or \*restriction heretofore had, made, enacted, ordained, or provided, or any other matter, cause, or thing whatsoever to the contrary in any wise notwithstanding. IN WITNES whereof wee have caused these our letters to be made patents. WITNES ourself, at Westminster, the nineteenth day of May, in the two and thirtyeth year of our reigne.

By writt of privy seale,

PIGOT.

Broad seale appending.

Endorsed.

A duplicate of a grant to William Blathwayt, Esq<sup>r</sup>.

PIGOTT.

[The following attestation is in the handwriting of Secretary Rawson.]

The duplicate of his maj<sup>ties</sup> grant to Willjam Blathwayt, Esq<sup>r</sup>, conteyned in two sheetes of parchment, annext w<sup>th</sup> the broad seale of England in yellow wax, so signed, stand here entred, being compared w<sup>th</sup> its originall, at request of Edward Randolph, Esq<sup>r</sup>. As attests

EDWARD RAWSON, Secret<sup>y</sup>.

1681.

*The Deputation of William Blathwayt, Esq., to Edward Randolph, Esq.*

15 October.

[In an unknown chirography.]

TO ALL CHRISTIAN PEOPLE to whom these presents shall come. WILLIAM BLATHWAIT, ESQUIRE, SURVEYOR & AUDITOR GENERALL of all his maj<sup>ties</sup> revenues arising in AMERICA, sendeth greeting. Whereas his said maj<sup>tie</sup>, King CHARLES the Second of England, &c, by his letters patents under the great seale of England, bearing date the nineteenth day of May, in the two & thirtyeth year of his reigne, did give and grant unto him, the said William Blathwayt, the office of surveyor and auditor general of his maj<sup>ties</sup> revenues arising in America, with full power and authority to inspect, examine, state, and auditt, and, with allowance and consent of the lord high treasurer, com<sup>is</sup>sioners of the treasury, and chancellor of y<sup>e</sup> exchequer for the time being, to determine all and singular accompts of all such rents, revenues, prizes, fines, escheats, forfeitures, duties, & profits whatsoever.

ever as are, by reason of any matter or thing, hapned or fallen since the beginning of the first warr that was between his maj<sup>ty</sup> and the States General of the United Netherlands since his ma<sup>ties</sup> restauration, and not before, and which shall at any time hereafter become due or payable to his ma<sup>ty</sup>, his heires, and successors dureing the continuance of his said \*letters patents in or from all or any of his ma<sup>ties</sup> forreigne dominions, islands, colonies, and plantations in America, and by all lawfull wayes and meanes to cause the same to be recovered and payd to the pper officers to his ma<sup>ties</sup> use, To HAVE and to hold, excercise and enjoy the sayd office to him, the said William Blathwayt, by himself or his sufficient deputy or deputies, for and during the time and so long as he, the said William Blathwayt, should well behave himself in the sayd office, with further power in the sayd letters patents contained, for him, the said William Blathwayt, from time to time to constitute and appoint, by any writeing under his hand and seale, such inferior officers for the better expediteing and carrying on his ma<sup>ties</sup> service in relation to the said office as by nomination, warrant, and direction from the lord high treasurer of England or co<sup>m</sup>missioners of the treasury for the time being, he, the said William Blathwayt, shall be directed; and the said inferior officers from time to time suspend, remoove, and displace as to him, the said William Blathwayt, with allowance & direction of the lord treasurer and co<sup>m</sup>missioners of the treasury for the time being shall be thought necessary and expedient. Now, KNOW YEE, that the said William Blathwayt, for the more effectuell execution and performance of the premises, and for the better expediting & carrying on his ma<sup>ties</sup> service, hath, by the nomination, warrant, and direction of the right hono<sup>ble</sup> the lords co<sup>m</sup>missioners of the treasury, constituted and appointed, and doth by these presents constitute and appoint, his trusty and well beloved EDWARD RANDOLPH, ESQUIRE, to be his deputy and under officer within all and any of the colonies of New England, (his maj<sup>ties</sup> colonie of New Hampshire onely excepted,) for the purposes and to the ends hereafter mentioned, and no other; that is to say, that he, the said Edward Randolph, shall, and the said William Blathwayt doth hereby give and grant full power and authority to the said Edward Randolph, to inspect, examine, and state all accounts of all such rents, revenues, prizes, ffines, escheats, seizures, fforfeitures, duties, and profitts whatsoever as are by reason or cause of any matter or thing hapned or fallen since the beginning of the said first warr that was between his maj<sup>ty</sup> and the said States Generall since his ma<sup>ty</sup> \*restauration, and not before, or which at any time from and after the date of the said letters patents have hapned, fallen, or which shall hereafter happen, fall, become due, or be paya-

1681.

15 October.

[\*8.]

[\*9.]



1681.

15 October.

ble or accruing unto his said ma<sup>ty</sup>, his heires, & successors, within all or any of the said colonies of New England, (except New Hampshire,) or any of the precincts or limits of the same, with full power and authority to and for him, the said Edward Randolph, by all lawfull wayes & meanes to cause to be recovered and paid unto the pper officers, to his ma<sup>tyes</sup> use, all such rents, revenues, duties, and profitts aforesaid as have accrued to his ma<sup>ty</sup> since y<sup>e</sup> beginning of the said first warr, or shall hereafter accrue unto his ma<sup>ty</sup>, his heires, and successors, within the said colonies of New England, (except the Province of New Hampshire aforesaid,) and have not been, or shall not be, answered, satisfyed, and payd to the pper officers, to his ma<sup>ties</sup> use, to have and to hold the said deputyship, or under office, unto the said Edward Randolph, so long as to him, the said William Blathwayt, shall please and be by him thought fitt. And the said William Blathwayt doth hereby require from the said Edward Randolph, and the said Edward Randolph doth by his acceptance of this present grant agree to and with the said William Blathwayt, that he, the said Edward Randolph, shall, once in every six months, or oftner, during which he shall execute the said under office, or be deputy to the said William Blathwayt, by vertue of these presents transmit and send over to him, the s<sup>d</sup> William Blathwayt, fairly written, and by the said Edward Randolph under his hand attested, all such accompts as he, the said Edward Randolph, shall before that time have inspected, examined, and stated, and which have not been by him formerly transmitted and sent over to the said William Blathwayt, of the rents, revenues, duties, and profitts aforesaid, & duplicates thereof by the next conveyance, and shall at the same time certify and make known to the said William Blathwayt all such sum and summs of mony, if any such shall be, as he hath by the wayes and meanes aforesaid caused to be recovered and paid to the pper officers, to his ma<sup>ties</sup> use, and which hath not been formerly certified and made known to him, the said William Blathwayt, and shall, in all and every other matter and thing relating to the said office, observe such rules and instructions as the said William Blathwayt shall at any time or times give or transmit unto him.

[\*10.] And, lastly, the said William Blathwayt by ^ hereby ratify, confirm, and allow all and every act & acts, thing and things, w<sup>ch</sup> shall be done and executed by the said Edward Randolph as deputy and under officer to the said William Blathwayt by vertue of these presents, and doth hereby grant that they and every of them shall be of equall force and authority as if they had been done, executed, and performed by the said William Blathwayt himself in his pper person. In witness whereof I have herevnto put my hand and

seale, this fifteenth day of October, in the yeare of our Lord God 1681, and in the three and thirtyeth yeare of the reign of our sovereign lord, King Charles the Second, over England, &c<sup>a</sup>.

1681.

15 October.

WILLIAM BLATHWAYT.

Signed, sealed, and delivered, in  
the presence of  
Barth: Burton,  
Jo. Thurston,  
B. Sargeant.



Wee do hereby nominate Edward Randolph, Esq<sup>r</sup>, to be deputy of William Blathwayt, Esq<sup>r</sup>, in the office of surveyor and auditor general of his maj<sup>ties</sup> revenues, ariseing in all or any of the colonies of New England, (except the colonie of New Hampshire,) or any of the precincts or limits of y<sup>e</sup> same, and accordingly direct y<sup>e</sup> said William Blathwayt to constitute & appoint him, y<sup>e</sup> s<sup>d</sup> Edward Randolph, his lawfull deputy in the execution thereof, pursuant to his maj<sup>ties</sup> letters patents in that behalfe. From the Treasury Chambers, in White Hall, this fifteenth day of October, 1681.

J: ERNLE,  
ED: DERING,  
STE: FOX,  
S: GODOLPHIN.

[The following attestation is in the handwriting of Secretary Rawson.]

The deputation of W<sup>m</sup> Blathwayt, Esq<sup>r</sup>, contained in the fower foregoing pages, so signed, sealed, and witnessed as his act, to Edward Randolph, Esq<sup>r</sup>, making him his deputy, stands entred & recorded, word for word, in the Courts booke of records, at the request of sajd Edward Randolph, Esq<sup>r</sup>, being compared w<sup>th</sup> the original.

As attests

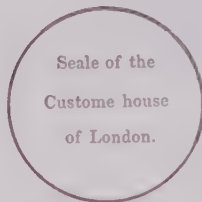
EDWARD RAWSON, Secre<sup>t</sup>.

1682-3. *Certificate of the Appointment of William Dyre, Esq., Surveyor  
General of Customs.*

4 January.

[In the handwriting of Secretary Rawson.]

[\*11.]



\***W**EE, the comissioners for mannaging and causing to be surueyed and collected his majestjes customs, subsidies, and other dutjes, in England, doe heereby signifye that Willjam Dyre, Esq<sup>r</sup>, is appointed our surveyor gennerall of his majestjes customes in his seuerall colonjes and plantations in America, arising

and growing due by virtue of an act of Parljament made in the 25<sup>th</sup> yeare of his maj<sup>ties</sup> reigne, intituled An Act for Incouraging the East Land and Greene Land Trades, and for better securing the plantation trade. And heereof the respective collector and comp<sup>rs</sup> in the sajd colonjes and plantation, and all other persons concerned, are required to take notice. In testimony whereof wee haue caused the seale of the custome house, London, to be herevnto affixed. Given vnder our hands, the fowerth day of January, in the 34<sup>th</sup> yeare of the reigne of King Charles the Second, Annoq Domini 1682.

N: BUTLER,

AND: NEWPORT,

CH: CHEYNE,

G: DOWNING.

1684. That this aboue written is a true copie, so signed & a seale, produced in  
Generall Court, & there read, 18<sup>th</sup> of Sept<sup>ber</sup>, 1684, & therewith compared, &  
18 September. stands thus entred & recorded at request of sajd M<sup>r</sup> W<sup>m</sup> Dyre & ord<sup>r</sup> of y<sup>e</sup>  
Gofino<sup>r</sup>.

Attests

EDWARD RAWSON, Secre<sup>t</sup>.

*Power of Attorney from John Awassamug to Thomas Awassomug.*

1684.

[In the handwriting of Secretary Rawson.]

1 December.

**I**N the yeare of our Lord one thousand sixe hundred eighty fower, Decem<sup>r</sup> the first, John Awassamug, of Naticke, now not like to continue long before his decease, and not able to looke after the Indean title that yet do remaine vnpaid for by English proprietors, do heereby acknowledge Thomas Awassamug, my naturall son, my naturall heire, and betrust and impower him in my stead to sell, bargaine, and alienate any of that land the Indean title of which do yet belong to me, according to the sagamore title. I doe impower and betrust said Thomas, my son, to sell to any English proprietours, persons or person, and to receive money or monys worth for title of any such lands, and to giue sufficient deeds to any such persons or person as shall buy the Indean title of him as shall secure from all other claimes or claime of any other Indean.

his marke  
JOHN **O** AWOSOMUG.

Deliuered in presence of  
Obadiah Morse,  
Peter **be** Ephrami.

This stands thus entred and recorded here at the request of Thomas Awossomugk, this 21<sup>th</sup> of April, 1685.

1685.

As attests

EDWARD RAWSON, Secret.

21 April.

*Deed of Conveyance from John Awassamoag and others to Thomas Awassamoag.*

1684-5.

[In the handwriting of Secretary Rawson.]

21 January.

**\*K** NOW all men by these presents, that we, John Awassamoag, Samuell Awassamoag, John Mooqua, Peter Ephraim, & Eleazer Pegan, Indians of Natick, in the county of Middlesex, in New England, for reasons us therevnto mooving, haue giuen & granted, and do by these presents grant, aljene, enfeoffe, assigne, make ouer, and confirme vnto Thomas Awassamoag, Indjan, of the same toune and county aforesaid, all that our whole native title, right, & interest in that tract of land lying, scituate, and being betweene the bounds of Naticke, Charls Riuer, Marlborough, and a point of Blackstons Riuer beyond Mendon, al which said right, title, and interest in the said

[\*12.]



1684-5. land (that is not already legally disposed of) we, the said John Awassomoag, Samuel Awassamoag, Joshua Awassamoag, John Mooqua, Peter Ephrajm, & Eleazer Pegan, do heereby avouch and declare to be, at the deliury of these p'sents, our oune propper estate, and lawfully in our own power to alljenate & dispose of, it being our naturall right, descending to us from the cheife sachem Wuttawushan, vncle to the said John Awassamoage, Señ, who was the cheife sachem of said land, and nearely related to us al, as may be made appeare. And we do further warrant and assure the said right, title, and interest to the said Thomas Awassamoag, a good and sound estate of inheritance, together with all rights, members, appurtenances, libertjes, privileges, uses, accomodations, profits, & comodities thereto belonging, or any way appertaining: To haue and to hold, to him, the said Thomas Awassamoag, and to his heires, executors, administrators, and assignes, in peaceable possession for euer, free, acquitted and discharged of and from all manner of former gifts, grants, titles, suites, mortgages, leases, entajles, and al legall molestation, interruption, and encumbrances whatsoever, from, by, or vnder us, the said John Awassamoag, Sañill Awassamoag, Joshua Awassamoag, John Maqua, Peter Ephrami, & Eljazer Pegan, our heires, execc<sup>rs</sup>, administrators, or assignes, or any other person or person whatsoever, by, from, or vnder us, or any of us. And wee do further couenant and promyse to do, at the charge of the said Thomas Awassamoag, any further act or acts, thing or things, that may any way tend to the further setling and confirming of the aboue said right and interest to and vpon the said Thomas Awassamog, his heires, executors, administrators, or assignes, whensoever we are reasonably thereto requested. And wee do hereby render and giue seizure and lawfull possession of al the said rights, titles, and interests; and for the true and full performance of all & singular the pmisses, we, the aboue named John Awassomoage, Samuel Awassamoag, Joshua Awassamoag, John Mooqua, Peter Ephrajm, & Eleazer Pegan, haue to this instrument set to our hands & seales the 21 January, 1684.

Signed, sealed, & deliuered,  
in the presence of us  
Edw: West,  
Bnonj: Learned.

JOHN MOO <sup>his mrk</sup> y QUA, & seale.

JOHN <sup>his mrk</sup> o AWASSAMOAG, & seale.

SAM<sup>LL</sup> <sup>his mrk</sup> 8 AWASSAMOAG, & seale.

PETER <sup>his mrk</sup> Pe EPHRAIM, & a seale.

o o o

18 February.

John Mooqua, Sam: Awossomoge, & Peter Ephrajm appeared in Court,

at Natick, & acknowledged y<sup>e</sup> writting to be their act & deed, & y<sup>t</sup> they set to their hands & seales to it, Feb<sup>r</sup> 18, 1684. 1684-5.

18 February.

As attests

DANIEL GOOKIN, Sen.

Entred & recorded at request of Thomas Awassomoag, 21<sup>th</sup> Aprill, 1685.

1685.

P EDW<sup>d</sup> RAWSON, Secre<sup>t</sup>.

21 April.

*Deed of Conveyance from Thomas Awassomoag to Edward Rawson.*

[In the handwriting of Secretary Rawson.]

**T**O ALL CHRISTIAN PEOPLE to whom this p<sup>s</sup>ent deed shall come, Thomas Awassomoag, son & heire of John Awassomoag, late of Naticke, in the county of Middlesex, in New England, send greeting. Know yee, that I, Thomas Awassomoag, for and in consideration of the sume of fowerteen pounds of good and lawfull money of New England, to me in hand paid by M<sup>r</sup> Edward Rawson, of Boston, in the county of Suffolke, in New England aforesajd, gen<sup>tl</sup>, the receipt whereof I do heereby oune and acknowledge, and therewith to be fully contented & paid, and thereof and of euery parte thereof doe exonnerate, acquitt, and dischardge him, the sajd M<sup>r</sup> Edward Rawson, his heires, execcut<sup>rs</sup>, & administrato<sup>rs</sup> for euer, by these p<sup>s</sup>ents, haue given, granted, bargained, sold, alljened, enfeoffed, and confirmed, and by these p<sup>s</sup>ents doth giue, grant, bargaine, sell, alljene, enfeoffe, & confirme unto him, the sajd M<sup>r</sup> Edward Rawson, all that his tract of land, being about two thousand acres, more or lesse, which he bought and purchased of John Awassamoag, Samuell Awassamoag, John Mooqua, Peter Ephraim, and Eleazer Pegan, Indians & inhabitants of Natick, as p<sup>s</sup> deed of sale vnder their hands & seales, bearing date January the 21<sup>th</sup>, 1684, and acknowledged in the Court of Natick before the worshipfull Daniel Gookin, Esq<sup>r</sup>, February the 18, 1684, may appeare, the sajd land lying & being betweene the bounds of the townes of Dedham southerly, of Mendon westerly, Sherborne northerly, Meadfeild easterly, with all meadows, woods, vnderwood, riuers, fishings & fishing places, libertjes & priuiledges therevnto belonging or in any wise apperteyning, to haue & to hold the sajd peece or parcell of land of two thousand acres, more or less, lying betweene the bounds of fower townes, viz<sup>t</sup>, Dedham, Meadfeild, Mendon, & Sherborne, with all the meadows, woods, vnderwoods, rivers, ffishings, fishing places, with all

[\*13.]

21 April.

1685.

21 April.



[\*14.]

the libertjes, rights, & priuiledges therevnto belonging, to him, the sajd Edward Rawson, his heires & assignes, foreuer, and to the only vse, bennefitt, and behooffe of him, the sajd Edward Rawson, his heires and assignes, foreuer. \*And the sajd Thomas Awassamoag doth himselfe, his heires, execut<sup>rs</sup>, & administrators, heereby promisê, couenant, & grant, to & with the sajd Edward Rawson, his heires and assigne, that, at the time of the ensealing of these p<sup>s</sup>ents, he, the sajd Thomas, is the true and lawfull ouno<sup>r</sup> of the aboue bargained premisses, and of euery part and parcell thereof, and is lawfully seized of, the same, and of euery part & parcell thereof, in his oune proper right, and hath in himselfe full power, right, & lawfull authority the same, & every part & parcell of the same, to sell, aljene, convey, and assuer vnto the sajd Edward Rawson, his heires and assignes, as a good, perfect, and absolute estate of inhæritance in fee simple, without any manner of reuersion or limitation whatsoever; and that the sajd Edward Rawson, his heires and assignes, shall & may, by force and virtue of these p<sup>s</sup>ents, from time to time, & at all times, for euer hereafter, lawfully, peaceably, & quietly haue, hold, vse, occupy, possesse, and enjoy the aboue granted p<sup>m</sup>isses, with their appurtenances & euery part thereof, free & cleere, & cleerely acquitted and discharged of & from all other gifts, grants, bargaines, sales, leases, mortgages, joyntures, dowers, judgments, executions, entajles, forfeitures, and of & from all other titles, troubles, or incumbrances whatsoever, had, made, comitted, done, or suffered to be done, by the aforesajd Thomas Awassamoag, his heires or assignes, at any time before the ensealing of these p<sup>s</sup>ents; and, further, that the sajd Thomas Awassamoag shall & will, from time to time, & at all times, both he & his execut<sup>rs</sup> and administrato<sup>rs</sup>, the aboue granted p<sup>m</sup>isses, with the appurtenances & euery part & parcell thereof, warrant and defend against *against* all persons whatsoever any wayes lawfully clayming the same or any parte or parcell of the same; and that the sajd Thomas Awassamoag shall also make any further or ample assurance of the premisses whensoeuer called

[\*15.]

therevnto, and shall, with the attorney or order of the sajd Edward \*Rawson, at some conuenient time, goe with & readily & truely shew him or them the more particular & exact bounds of the premisses that at this time is here inserted & described, and shall & will, at any time when called, give him or them full & quiet possession of the same. And, lastly, Abigaile, the wife of the sajd Thomas Awassamog, doth also hereby surrender, give vp, and quitt all hir right, title, & interest in and vnto the premisses, and euery part & parcell thereof, that she might, would, or could, clajme, demand, or challenge by way of dowry or otherwise. In testimony whereof, the sajd Thomas Awassamoag, & Abigaile, his wife, haue herevnto sett their hands & seales, this twenty-first

day of Aprill, one thousand sixe hundred eighty & five, anno R. R<sup>s</sup>. Jacobj 1685.  
 Secundj primo.

The mark of  
 THOMAS  AWASSAMOAG, & a seale.  
 The m<sup>r</sup>ke of  
 ABIGAILE  AWASSAMUG, & a seale.

21 April.

Endorst.

Signed, sealed, & deliuered in psence of vs, after twelue words rased  
 out of the ninth l<sup>j</sup>ne, & the words, 'of the toune of Dedham southerly, of  
 Mendon westerly, Sherborne northerly, Meadfeild easterly,' enterljned in the  
 same l<sup>j</sup>ne in the originall, the same day & yeare before written.

HOPESTILL LEALAND,  
 JONATHAN FAIRBANK.

Under writt.

Thomas Awassamug, Indian, and Abigaile, his wife, personally appearing,  
 acknowledged this instrument to be their act & deed, Aprill 21, before me,

SAMUELL SEAWALL, Asist.

Entred & recorded here, this 4<sup>th</sup> day of June, 1685.

4 June.

p EDWARD RAWSON, Secret.

The Generall Courts allowance, &c, hereof, is recorded in their book on  
 y<sup>e</sup> other end, at large, p. 487.



1674. *Freemen of the Colony of the Massachusetts Bay in New England,*  
1674—1686.

27 May.

[The following lists contain the names of those who were admitted to the freedom of the colony between the twenty-seventh of May, 1674, and the sixteenth of February, 1685-6. They are marginal entries, and are in the handwriting of Secretary Rawson. The names of other persons who took the freeman's oath will be found in preceding pages.]

[\*1.] \*Names of such admitted to freedom by y<sup>s</sup> Court, [27 May, 1674.]

Mr Daniel Epps, Ips.	Ruben Luxford,	Abell Porter.
Tho: Jacob,	Andrew Boardman,	Caleb Pumbrey, North
Tho: Metcalf,	Jn <sup>o</sup> Jackson,	Hamp.
Nico: Wallis,	Daniel Markham.	Ebenezur White, Weym.
Nathaniel Addams,	Jn <sup>o</sup> Buss, Conc.	Edw: Addams, Med.
Nathan: Rust,	Jacob French, Billir.	Joseph Wright,
Tho: French,	W <sup>m</sup> Seavje, Ports.	Gershom Flagg,
Jn <sup>o</sup> Lumpson.	Obadiah Morse,	Samuel Walker.
Jn <sup>o</sup> Pebody, Tops.	Tho: Harvie,	James Thompson, Woob.
Joseph Furnum, 1 ch.	Antho: Ellings,	Israel Walker,
Jn <sup>o</sup> Rugles, Sen <sup>r</sup> , Rox.	Richard Sampson,	Jn <sup>o</sup> Snow.
El Nathan Chancy,		

[\*15.] \*Persons mad free at y<sup>s</sup> Court [7 October, 1674] were, —

7 October.

Samuel Douse, Ch.	Rich: Sharpe,	W <sup>m</sup> Ingram,
Tho: Bligh, Bost.	Tho: Smith,	Dudley Bradstreet.

1675. \*The names of the persons admitted to the ffreedom of this colony at this Court [12 May, 1675] were, —

12 May.

[*25.] John Valentine, Bost.	Syman Chapman,	John Seawall,
Joseph Webb,	Nath: Warner.	John Richardson.
Elisha Audljn,	James Bracket, Br.	Sam: Sayer, New.
Sam: Ward,	Andrew Boardman, Cam.	Benj <sup>a</sup> Morse.
Jn <sup>thā</sup> Bridgham,	Ruben Luxford,	Bernard Capen, Dorc.
Peircy Clarke,	Dani: Markeham,	Jn <sup>o</sup> Mirriam.
John Daus,	John Jackson,	T <sup>m</sup> o Wheeler, Conc.
Joshua Gee,	Ebenez <sup>r</sup> Wiswall, Cam.	Joseph Whiting.
[*26.] Benja: Dyer,	*Tho: Olliuer,	Hen: Collins, Jun., Lyn.
Edw: Thwing.	Nehemiah Hubbard,	Allin Bread,
Sam: Gardiner, Sal.	Sam: Houlett,	Tho: Mighill.
Samuel Warner, Ip.	W <sup>m</sup> Houlett.	Israel Jenery, Mead.
Tho: Weld,	Mathew Austin, Yor.	Nath: Gay.
Tho: Gittings,	Nathaniel Masterson,	

\*Persons made free at y<sup>s</sup> Court were readmitted to freedome [21 Feb., 1675-6.] 1675-6.

Jn <sup>o</sup> Tucker,	Jn <sup>o</sup> Jeuet, Ips.	Jacob French, Billi.	21 February. [*70.]
Jn <sup>o</sup> Noyes, 3 <sup>d</sup> , Bost.	Rob <sup>t</sup> Peirpoint.	Tho: Russell, Cha.	
Natha: Willjam,	Jn <sup>o</sup> Atwood, Bost., 2 <sup>d</sup> .	Jn <sup>o</sup> Clifford, Hamp.	
Dani: Gookin, Jun.,	Joseph Knight, Woo.	Joseph Barret, Chelm.	
Camb.	Georg Abbot, And.	Liemach Amistreale.	
Jn <sup>o</sup> Pike, Salis.	Xtoph <sup>r</sup> Osgood,	Tho: Dyer, Weymo.	
Hen: Trew,	Tho: Osgood.		

\*Persons made free this session [May 3, 1676] were, — 1676.

Mr Sam: Alcock, Boston.	John Goodwin.	Sam: Smith.	3 May. [*73.]
Mr Dani: Russell, Charls.	Tim <sup>o</sup> Baker, Northam.	Mr Jn <sup>o</sup> Youngloue,	
Zech: Johnson,	Joseph Person,	Hadly.	
Isaack Foule,	Jn <sup>o</sup> Bridgman,	Samuel Wentworth, Dov.	
Zech: Ferris,	Judah Wright,		

\*Persons admitted by this Court to freedom [11 October, 1676] were, — [\*112.]

Richard Hall, Bradf.	Jn <sup>o</sup> Jewet.	Nehemia Allin.	11 October.
Dani: Hazeltine,	Benja: Emons, Bo. 3 <sup>d</sup> C.	Jn <sup>o</sup> Knight, Charls.	
Jn <sup>o</sup> Hardy.	Sam: Daus, Northam.	Jn <sup>o</sup> Douse.	
Jn <sup>o</sup> Hubbard, Ips.			

\*Persons admitted to freedom by y<sup>s</sup> Court [23 May, 1677] are, — 1677.

Mr Jn <sup>o</sup> Price, Sal.	Jn <sup>o</sup> Rogers, Wey.	W <sup>m</sup> Foster,	23 May. [*126.]
Jn <sup>o</sup> Higginson, Ju.,	Jn <sup>o</sup> Bayly.	Nath: Barker.	
Jn <sup>o</sup> Hawthorn,	Nathani: Gay, Dedh.	Obadiah Morse, Meadf.	
Manasses Marston,	Tho: Aldridge,	Edw <sup>d</sup> Addams,	
Henry Kirry.	Nath: Kingsbery,	Eljaz <sup>r</sup> Addams,	
Mr Sam: Nowel, Charls T.	Jn <sup>o</sup> Weare,	Jn <sup>o</sup> th: Morse,	
Jn <sup>o</sup> Phillips,	W <sup>m</sup> Avery.	Jos: Bullin.	
Xtopher Goodin,	Jn <sup>o</sup> Hollioike, Spring.	Jn <sup>o</sup> Walker, Wooborn,	
James Millar,	Sam: Stoddar, Hingh.	Jn <sup>o</sup> Carter,	
Jn <sup>o</sup> Blany.	Andrew Lane,	Jn <sup>o</sup> Bearbenn.	
W <sup>m</sup> Gibson, Bosto. 1 Ch.	Jn <sup>o</sup> Tucker.	Frac: Fletcher, Concord,	
Nathani: Barnes,	Rich <sup>d</sup> Dumer, Jun.,	Timo: Wheeler,	
Edw <sup>d</sup> Ashley.	Newb.	Jn <sup>o</sup> Meriam,	
Jn <sup>o</sup> Cadwell, Ips.	Hen: Short,	Sam: Jones.	
Jn <sup>o</sup> Wales, Dorch.	Steph: Greenleaf,	Sam: Lampson, Redding,	
James Blake.	Jacob Toppan,	Jn <sup>o</sup> Eaton,	
Joseph Roads, Lyn.	Rich: Bartlet, Jun.	Henry Merrow,	
Jn <sup>o</sup> White, Rox.	Tho: Pearly, Rouley,	Sebred Taylor.	
Jabez Fox, Camb.			

1677. \*The persons made or admitted to freedome at this Court [10 October, 1677] were, —

10 October.

[\*146.]

John Clarke, B.	Henry Withengton.	Joseph Boynton, Rou.
Gilbert Cole, 3 C.	Amos Woodward, Cam.	Alexand <sup>r</sup> Sessions, Andi.
Robert Butcher,	Dani: Champney.	Benja: Lincolne, Hing.
Nathaniel Patten.	John Wells, Rox.	John Chubbuck,
Jn <sup>o</sup> Wales, Sen., Dor.	Tho: Peirce, Woob.	John Fering,
Sam: Hix,	Jn <sup>o</sup> Smeadley, Conc.	Tho: Gill, Jun.

1678.

\*Persons made free in May Court, 1678, —

May.

[\*175.]

1 <sup>st</sup> Ch. Bost.: Joseph	Josia Fisher,	Sam: Frost,
Bridgham,	Rob <sup>t</sup> Weare,	Obadia Perry.
Joshua Windsor.	Jonath: Freeman.	Westf.: M <sup>r</sup> Edw: Taylor,
2 <sup>d</sup> Ch.: Jonas Clarke,	Hampt.: Jn <sup>o</sup> Clifford,	Jn <sup>o</sup> Maudsley.
Hen: Dauson,	W <sup>m</sup> Fuller.	Spring.: Vickry Sike,
W <sup>m</sup> Way,	Mauld.: Jn <sup>o</sup> Parker,	Isa: Cakebread,
Jn <sup>o</sup> Barnard,	Joseph Lynds.	Luke Hitchcoke.
Tho: Barker,	Meadf.: Dani: Thirston.	Woob.: Jn <sup>o</sup> Richardson.
Jn <sup>o</sup> Goffe,	Hull: Sam: Butler,	Red.: Tho: Bankroft,
W <sup>m</sup> Sumer.	Joseph Benson,	Jn <sup>o</sup> Tounsend.
3 Ch.: M <sup>r</sup> Peter That-	Samuel Prince,	Weym.: Rich: Phillips,
cher,	Jn <sup>th</sup> : Vickree.	Sam: Humphry,
M <sup>r</sup> Sam: Seawall.	Dorch.: Tho: Toleman,	Joseph Dyar.
Camb.: M <sup>r</sup> Elnath	Jn <sup>o</sup> Toleman,	Befly: Edm <sup>o</sup> Grouer,
Chancey.	Nath: Glouer,	Nehem: Grouer,
Salem: Tim <sup>o</sup> Lyndall,	James Foster,	Isa: Woodbery,
Isack Foot,	Incre: Sumner,	Hump: Woodbery,
Roger Hill,	Hope Clap,	Robt: Bradbuth,
W <sup>m</sup> Barker,	Jn <sup>o</sup> Baker,	Ric: Patch,
Edw: Read,	W <sup>m</sup> Ryall.	Jn <sup>o</sup> Blatt,
Benj: Parmiter,	Brant.: Josia: Chapen,	Jn <sup>o</sup> Richds,
Rich <sup>d</sup> : Riff,	Jos: Peniman,	Jn <sup>o</sup> Patch.
Franc <sup>o</sup> Girdler,	Sam: Penniman,	Milto.: Tho: Holman,
Jn <sup>o</sup> Mascoll,	Jos: Parmiter,	Ephr: Tucker,
Walter Cloys.	Steph: Payne, Jun.	Manasses Tucker.
Ded.: Joseph Fairbank,	Hing.: Jn <sup>o</sup> Lazell,	Hadl.: Tim <sup>o</sup> Nash,
Tho: Fisher,	Sam: Thaxter,	Tho: Hale,
Sam: Guile,	Tho: Marsh.	Jn <sup>o</sup> Russell — were all ad-
Benj: Miles,	Bellir.: Jos. Walker,	mitted, 85.
Joseph Wight,	Tho: Patten,	

\*Persons admitted to ffredome at y<sup>s</sup> Court [2 October, 1678] were,—

1678.

Mr Isack Foster, Charls.	Jonas Prescott,	Jn <sup>o</sup> Kendall,
Jn <sup>o</sup> Bengilley, Ips.	Tho: Reade, Jun.	Jos: Wing.
Enock Hubbard, Hing.	W <sup>m</sup> Addams,	John Lynds, Mault.
Sam: Man, Dedh.	Joseph Freeman.	Jn <sup>o</sup> Greenland.
Jn <sup>o</sup> Brewer, Sudb.	Samll: Carter, Woob.	

2 October.

[\*202.]

\*Freemen made at this session, [15 October, 1679.]

1679.

Mr Jn <sup>o</sup> Broune,	Mathew Cushin, Jun.,	Joseph Lyon, Rox.
Benja: Fitch, Red.	Hing.	Jn <sup>o</sup> Dole, New.
Hananiah Parker,	Jn <sup>o</sup> Smith, Jun.,	Sam: Butterick, Conc.
Nath: Gooding,	Dani: Cushin,	Jn <sup>o</sup> Prescott.
Peter Tufts, Mald.	Josia Leuet.	Ephraim Winship, Camb.
Francis James.	Joseph Wing, Wo.	Jn <sup>o</sup> Marrion.

15 October.

[\*232.]

\*Freemen made at y<sup>s</sup> session, [19 May, 1680.]

1680.

Rox.: Mr Jn <sup>o</sup> Boules,	Jn <sup>o</sup> Balch,	Wey.: Nath: Humphry.
Mr Edw: Pason.	Paul Thorndick.	Abra: Whitman,
Salem: Jn <sup>o</sup> Grafton,	M <sup>r</sup> bleh.: Rich <sup>d</sup> Norman,	W <sup>m</sup> Pratt,
Resolved White.	Jn <sup>o</sup> Legg,	Mr Edw: Taylor,
1 <sup>st</sup> ch., Bost., Benja:	Nathan Walton,	David Ashly,
Thuing,	Rich <sup>d</sup> Movntegue.	Jededia Dewy,
Jerr: Du <sup>m</sup> er,	Chars T.: Mr Tho:	Sam: Roote.
Jn <sup>o</sup> Thing,	Shephard,	West.: Joseph Pomry.
Jacob Hurd,	Mr Neh: Hubbard.	Nath: Welby,
Tho: Chard.	Camb. Vill: Ebenezer	Jn <sup>o</sup> Hanchet,
2 <sup>d</sup> ch., Jn <sup>o</sup> Cotton,	Wiswall,	Benj: Bosworth,
Cotton Mather,	Sam: Robbins,	Ab <sup>r</sup> Jones,
W <sup>m</sup> Coleman.	Wob.: Jn <sup>o</sup> Gardiner.	Rob <sup>t</sup> Gold,
Sudb.: Jabez Broune.	Jn <sup>o</sup> Chadwick,	Jonathan Nile,
Chelms.: Jn <sup>o</sup> Held,	Mald.: Mr Wigglesworth.	Nathani: Bosworth,
Elia <sup>r</sup> Ball,	Peletiah Smith,	Sam: Prince,
Jonathan Tyng.	Tho: Putman, Ju.,	Zac: Witmā,
North.: Mr Jose Hauley.	W <sup>m</sup> Stacy.	Jose Bosworth,
Davjd Burt,	Salem: Zacke Marsh,	Isack Vickrey — all of
W <sup>m</sup> Smead,	Symon Booth,	Hull.
Jn <sup>o</sup> Woodward,	Israell How,	Steven Lincoln, High.
Jonathan Hunt,	Benj: Leeds,	Mr Jer: Shep <sup>d</sup> ,
Joshua Pomrey,	John Pason.	Tho: Layton,
Eliaz <sup>r</sup> Frary.	Ips.: Symon Willard,	Ralp King — of Lynn.
Beu <sup>r</sup> : Joseph Dodge,	Joseph Pitty,	Sal.: Rob <sup>t</sup> Fuller,

19 May.

[\*260.]



1680. Jn<sup>o</sup> Felton, Japhet Chapin, Jn<sup>o</sup> Shelden — of Bil-  
 Jos: Phippen. Sam: Ely — of Springf. lirica.  
 19 May. M<sup>r</sup> Dani: D × en,

[\*285.] \*Persons made free at this Court, [13 October, 1680,] or admitted to freedome,  
 13 October. were, —

Bo. 1 ch., M <sup>r</sup> Tho:	Sam: Knolton,	Jn <sup>o</sup> thā Fuller,
Cheevers,	Tho: Bayly.	Joshua Fuller,
Nicho: Willis.	Wenh.: Sam: Abby,	Joseph Fuller.
Bos. 3 ch., M <sup>r</sup> Deodat	Sam <sup>l</sup> Fiske.	Hingh.: James Haukes,
Lawson.	Cambr. Vill.: Tho: Pren-	Jose: Jacob.
Cha.: Sam: Ballard.	tice, Sen.,	No <sup>r</sup> Ham.: Enos Kins-
Rox.: M <sup>r</sup> Edw: Pason,	Tho: Prentice, Jun.,	ly.
Danie: Kellum, Ju.,	Tho: Parke, Sen.,	Billir.: Peter Bracket.
John Knolton,	Jn <sup>o</sup> Fuller, Jun.,	

1681. \*Persons made free at y<sup>s</sup> Court [11 May, 1681] were, —

11 May. Tho: Eaton, Ded.	Ezekiel Cheevers,	Sam: Peirson.
[*306.] Natha: Chickring,	John Lecch.	Nath: Jewett, Conc.
Robert Weare.	Ephrajm Colton, Spri.	Allin Bread, Sen., Ljn.
Dauid Hubbard, Hing.	Tho: Colton,	Joseph Reads,
Jerr: Beale.	Joseph Stebbing,	Josiah Reads.
Tho: Hovey, Hadl.	Joseph Trumble,	Ephrajm Winship, Camb.
Sam: Lancton, North	Georg Norton.	Abraham Tilton, Ips.
Hamp.	Sam: Kent, Gloc.	Isa: Esty, Tops.
Nath: Phelph.	Jn <sup>o</sup> Burbank, Hau.	Tho: Norman.
Benja: Gerrish, Salem.	Wm Starlings,	

[\*320.] \*Freemen admitted at y<sup>s</sup> Court [12 October, 1681] were, —

12 October. M <sup>r</sup> Jn <sup>o</sup> Olliuer, 2 ch.,	Jn <sup>o</sup> Sauyer.	Tho: Kingman.
[*321.] Bo.	*John Whitman,	Wey.: Samuel King,
Tho: Chard,	Nicholas Whitmarsh,	W <sup>m</sup> Read,
James Barnes.	Steven French,	Abjah Whitman,
Hen: Bartholmew, 1 <sup>st</sup>	Jn <sup>o</sup> Bayly,	Tho: White,
ch., B.	Tho: Bayly,	Joseph Dyer,
Obadiah Sajle.	Rich <sup>d</sup> Gurney,	Jn <sup>o</sup> Shaw, Jun.,
Jn <sup>o</sup> Russells, Camb.	James Smith,	Joseph Pitty.
Jn <sup>o</sup> ^, Sen.	Nathani: Smith,	Westf.: Tho: Noble,
Tho: Cow, Ips.	Samuel Holbrooke,	Eliaz <sup>r</sup> Weller,
Sam: Ingolls.	W <sup>m</sup> Richards, Jun.,	Spr.: Sam: Ball,
W <sup>m</sup> Goodhue, Ju.	Joseph Richards,	Tho: Spencer.
Jn <sup>o</sup> Peirson, Jun., Row.	Jn <sup>o</sup> Richards,	Suff <sup>d</sup> : Tho: Huksley.

\*Persons admitted to freedom y<sup>s</sup> Court [24 May, 1682.]

1682.

Jn <sup>o</sup> Foster,	Jn <sup>o</sup> Farrington, of Ly.	Sam: Rockwood,
Antho: Buxton,	Humph: Barrat,	Nath: Allin, Meadfei.
Peter Prescot, of Salē.	Sam: Haur,	Jn <sup>o</sup> Bates,
Mr Jn <sup>o</sup> Apleton,	Roger Chandler,	Abra: Byam,
Jn <sup>o</sup> Dane,	Sam: Stone, Conco.	Nath: Butterfeild,
Jn <sup>o</sup> Wardner,	Sam: Kembal,	Abr: Parker, Chelms.
Dani: Warner,	Jn <sup>o</sup> Gilbert, &	Isack Morrell,
Tho: Boreman,	Char <sup>s</sup> Got, Wenhā.	Jn <sup>o</sup> than Caree, of Chars.
Joseph Fellows,	Jn <sup>o</sup> Harding,	Sam: Bartlet, of North
Tho: & Natha: Tred-	Jn <sup>o</sup> Warfeild,	Ham.
well, of Ipsw.	Benj: Clark,	Jn <sup>o</sup> Pinor, Northfeild.
Jos: Farr,	Jn <sup>o</sup> Fisher,	

24 May.  
[\*348.]

\*Persons admitted to freedome at this Court [11 October, 1682] were, —

1682.

Mr Sam: Gardiner, Jun.,	Jn <sup>o</sup> Harding, Meadf.	Xtopher Walers.
Salē.	Jn <sup>o</sup> Warfeild,	James Parsons, Gloc.
Mr Jn <sup>o</sup> Apleton,	Benja: Clarke,	Jn <sup>o</sup> Hitchcock, Spring.
Jn <sup>o</sup> Dane,	Jn <sup>o</sup> Fisher,	Josiah Gage,
Daniel Warner,	Samuel Rockwood,	Joseph Kingsbery,
Tho: Boreman,	Joseph Allin.	Sam: Hasseltine,
Joseph Fellows,	Jn <sup>o</sup> Flegg, Water T.	Sam: Stickney,
Tho: Tredwell, of Ipsw.	Abra: Guile,	Jn <sup>o</sup> Bojnton,
Nath: Tredwell,	Nath: Marcham,	W <sup>m</sup> Hutchins,
Mr Tho: Wade,	W <sup>m</sup> Band,	Benj: Kimball,
Joseph Giddings,	Sam: Jennyson.	Robert Hasseltine,
Joseph Safford,	Jn <sup>o</sup> Farwell, Conc.	Bozoun Allen.
W <sup>m</sup> Butler.	Tho: Broune, Jun.,	

11 October.  
[\*381.]

\*Persons admitted to freedom at this Court [7 February, 1682-3] were, —

1682-3.

Mr Sam: Parris, of 1 <sup>st</sup>	Jn <sup>o</sup> Vyol,	Jn <sup>o</sup> Trescot.
Ch., Bo.	Tho: Tounsensd,	Jn <sup>o</sup> Marshall, Bille.
Mr Adam Winthrop,	Samuel Tounsensd.	David Meads.
Mr Rob <sup>t</sup> Howard,	James Green, 2 Ch., B.	Dani: Lunt, Newb.
James Bill,	John Green,	Daniel Merril,
John Olliuer,	Rich: Jincks,	W <sup>m</sup> Moody.
Samuel Ruck,	Timo: Pratt.	Jn <sup>o</sup> Andrews, Ips.
Obadia Wakfeild,	Ebenez <sup>r</sup> W <sup>ms</sup> , Dorc.	Josep: Broune.
Thoph: Rodes.	Nehem: Clap,	Sam: Pitcher, Milto.

7 February.  
[\*383.]

1683.

\*Persons made free at y<sup>s</sup> Court [16 May, 1683]:—

16 May. [*401.]	Hadley: Jn <sup>o</sup> Ingram, Mark Warner, Nathan: Warner, & Jn <sup>o</sup> Gardiner — 5. Dedh.: Jn <sup>o</sup> than Metcalfe, Ips.: M <sup>r</sup> Jn <sup>o</sup> Cobbitt, James Field — 2. Newbery: Georg March, Nath: Knolton — 3. — 1. Beſly: Humphry Horrel, Edw <sup>d</sup> Ashber, Jn <sup>o</sup> Rayment, W <sup>m</sup> Rajment, Jun., Andrew Elljot, Jun., Jn <sup>o</sup> Dodge, Jun.,	W <sup>m</sup> Dodg, Jun., Tho: Woodbury, Edw <sup>d</sup> Dodge, & Henry Herricke — 10. Jose: Euelle, and Medfei: M <sup>r</sup> Grindall Rawson, Josiah Torrey — 2. Boston 1 Ch.: Dani: Fairfeild — 1. Samell Ayres, Haue. — 1. Rowl.: Jn <sup>o</sup> Pickard, Jun.,	Humph: Hobson — 2. North Hamp <sup>t</sup> : Sam: Allyn, Ebener: Strong, Jame Wright, John Taylor — 4. Marblehead: Jn <sup>o</sup> Deuer- eux, Tho: Pitman, Sen., Jn <sup>o</sup> Peach, Jun., Joseph Dallabar, Sen <sup>r</sup> , Wating James, Nicholas Andrew, Robert Bartlet — 7: 38.
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1683-4.

\*Freemen made at y<sup>s</sup> Court [13 February, 1683-4] were, —

13 February. [*427.]	M <sup>r</sup> Edward Willis, Tho: Ray, Henry Eames. Bos.: Joseph Souther, Joseph Knight. New.: Tymothy Noys,	James Jackman, W <sup>m</sup> Elsy. Ded.: Josiah Fisher, Jn <sup>o</sup> than Freeman, Jonathan Medcalfe,	James Vales, Joseph Fairbanks, John Colbrun, Peter Hansitt. Red.: Ralfe Dixe.
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1684.

\*Persons admitted to freedome [7 May, 1684]:—

7 May. [*436.]	Chrispus Bruer, Lyn. Henry Collins, Allen Bread, Joseph Roads, Jn <sup>o</sup> Newhall, John Louise, W <sup>m</sup> Smith, Jon <sup>th</sup> Selsbe, Josia Roads. Sam: Seuden, Marble- head. Jn <sup>o</sup> Merrit. Jose: Roote, Northam. Jon <sup>a</sup> Parsons, W <sup>m</sup> Holton,	Robert Lymon, Jn <sup>o</sup> Hubbard, Jn <sup>o</sup> Shelden, Benonj Stebbins, Sam <sup>ll</sup> Judd, Jacob Root, Hen: Burt, Alex <sup>dr</sup> Atwood. Symon Burr, Hing. Francis James, Jn <sup>o</sup> Mansfeild, Ephra: Nicholl. Increas Syke, Spring. Dani: Cooly.	Danel Merrill, Newb. Jn <sup>o</sup> Bartlet. Josia Broune, Red. Corneli Broune, Tho: Nichols. Jn <sup>o</sup> Hall, Roxb. Jn <sup>o</sup> Whitney. Jn <sup>o</sup> Dresser, Row. Sa <sup>m</sup> ill Palmer. Sa <sup>m</sup> ill Peirce, Woob. Sa <sup>m</sup> ill Waters, Georg Read, Edw <sup>d</sup> Johnson, Ebenez <sup>r</sup> Johnson.
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## \*Persons admitted to freedom [9 July, 1684] :—

1684.

John Boynton, No. Ha.	Sam: Palmer,	Jn <sup>o</sup> Holden,
Th <sup>o</sup> Hunt.	Samuel Platt,	Joseph Peirce,
John Dressar, Rowl.	Sam: Spoffard,	Sam: Nogget,
James Dickinson,	Jn <sup>o</sup> Clarke,	Phineas Vpham,
Rich <sup>d</sup> Swan,	Joseph Jewet,	Jn <sup>o</sup> Saul,
Sam: Broclebank,	Caleb Boynton,	Sam: Saul,
James Seajles,	Nath: Jacob.	Theoph: Curtis.
Joseph Chaplin,	Edw <sup>d</sup> Walker, Woob.	

9 July.

[\*447.]

## \*Admitted to freedom [10 September, 1684] :—

[\*453.]

Sam: Porter, Hadl.	Israel Porter, Jun.,	Jn <sup>o</sup> Hall.
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10 September.

## \*Admitted to freedom October 31, 1684 :—

[\*458.]

Mr James Lewis, 1 ch., B.	Math: Peirse, Woob.	W <sup>m</sup> Hascall,
David Fiske, Cam.	Sam: Wilson.	Joseph Hascall,
Henry Prentice,	Joseph Broune, Ipsw.	Isaacke Eueleigh.
Ephraj: Frost,		

31 October.

\*Persons admitted to freedom y<sup>s</sup> Court [6 May, 1685] were,—

1685.

Vrjah Clarke, Rox.	Nath: Wade, Mauld.	Josh: Eaton,
Thomas Mory,	Ralfe Dixie.	Jn <sup>o</sup> Abby, Sen <sup>r</sup> .
Benja: Darse.	Dani: Eaton, Redd.	Jn <sup>o</sup> Fiske, Wenhā.
Peter Scott, Brant.	Jn <sup>o</sup> Avesson,	Zackeus Goldsmith.
Sam: Basse.	Franc <sup>s</sup> Hutchinson,	

6 May.

[\*476.]

\*Freemen admitted at y<sup>s</sup> Court [21 July, 1685] were,—

[\*498.]

Mr Jn <sup>o</sup> Apleton, Jun.,	Tho: Beamans,	W <sup>m</sup> Pebody, Topsfe.
Mr Rob <sup>t</sup> Pajne, Jun.,	Jose: Millar.	Tho: Perkins, Ju.,
Abra: Perkins,	Noah Wiswall, Camb.	Dani: Reddington,
Jn <sup>o</sup> Harris.	Vill.	Tobjah Perkins,
*Jn <sup>o</sup> Gaines, Ipsw.	Edw <sup>d</sup> Jackson,	Jacob Foster,
Nath: Broune.	W <sup>m</sup> Robinson,	Jn <sup>o</sup> How.
Jn <sup>o</sup> Maynard, Sen.,	Joseph Wilson,	Edw <sup>d</sup> Converse, Woob.
Marlb.	Jn <sup>o</sup> Mirock,	Ephraj: Pason, Douer.
Jn <sup>th</sup> Johnson, Sen.,	Sam: Truesdale,	Tho: Sticknee, Bradfo.
Josep Neuton.	Isack Willjam,	Rich: Kemball. — 30.
Jn <sup>o</sup> Bouker,	Jn <sup>o</sup> Ward.	

21 July.

[\*499.]



1685-6.

\*Freemen admitted, [16 February, 1685-6.]

16 February. Jacob Toun<sup>r</sup>, Tops.

[\*514.] Ephraim Curtis,

John Pritchett,

Mr Sam: Checkley, 2 ch., Jacob Nash, Weym.

John Squire, 1 ch.

Jn<sup>o</sup> Burrill, Lyn.

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